MILLARD'S

REVIEW

OF THE FAR EAST

密勒氏評論報

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OF THE FAR EAST

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YEARLY SUBSCRIPTION, FIFTY-TWO ISSUES, MEX. TEN DOLLARS IN ADVANCE, POSTAGE INCLUDED, IN CHINA AND THE FAR EAST. IN THE UNITED STATES AND FOREIGN COUNTRIES SEVEN DOLLARS AND FIFTY CENTS U. S. CURRENCY. REMITTANCE FROM OTHER COUNTRIES THAN CHINA CAN BE MADE BY INTERNATIONAL MONEY ORDER. ENTERED AS SECOND CLASS MATTER IN THE AMERICAN, CHINESE, BRITISH AND JAPANESE POST OFFICES AT SHANGHAI IN MAY, 1917.

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COMMUNICATIONS PERTAINING TO SUBSCRIPTIONS OR ADVERTISING SHOULD BE ADDRESSED TO THE REVIEW AT 113 AVENUE EDWARD VII, SHANGHAI, CHINA. SINCE THERE IS A U. S. POSTAL AGENCY IN SHANGHAI, AMERICAN DOMESTIC POSTAL CHARGES APPLY BETWEEN THIS PORT AND ALL PARTS OF THE UNITED STATES.

JAPAN is rushing ten or fifteen thousand soldiers into Hungchun, Chientao, Chinese territory, across the Chinese-Korean boundary, all of whom are fully equipped for war purposes. The provocation for this was the attack on the Japanese Consulate at Hungchun made, according to the Japanese official report, by "a band composed of Korean rebels, Russian Bolsheviks, *Hunghutze* and other Chinese robbers dressed in uniforms of regular Chinese troops" and the destruction of all its buildings by fire. On October 9, Mr. Obata, Japanese Minister at Peking, called on Dr. W. W. Yen, Chinese Minister of Foreign Affairs, and informed him of Japan's decision to send troops thither to protect the lives of Japanese subjects. Mr. Yen reminded Mr. Obata that prior to his call the Japanese troops had already been at Hungchun. The implication of this remark was that there was no need to say that the Japanese government desired to do what was already a *fait accompli*. Then Mr. Obata assured Dr. Yen that the Japanese troops would be withdrawn as soon as order was restored and there was no danger of further attacks by armed bandits. In the meantime a mixed brigade of Chinese troops was rushed to the locality by General Chang Tso-ling, Inspecting Commissioner of Manchuria, to maintain order. On October 12, Dr. Yen wrote to Mr. Obata to the effect that the Japanese troops should be recalled in accordance with his assurance now that the Chinese troops had arrived at Hungchun in sufficient numbers to cope with the situation. In reply, Mr. Obata said that Japan would not withdraw her troops until two additional objects were attained, namely, Koreans shall not be able to move to and fro between Korea and China, and Koreans already in China shall not be able to exercise any influence on the independence movement in their own country.

Unless all the Koreans in Chinese territory are immediately exterminated these additional objects would be hard to attain.

VARIOUS motives have been ascribed to Japan's dispatch of troops to Hungchun. One of them is the entire extirpation of Koreans from Chientao and from other border districts as well. Fearing that the news of the wholesale extermination of Koreans in the Chientao district might leak out to the civilized world through Chinese sources, Japan has been trying to make China an accomplice, suggesting that the Chinese troops should cooperate with the Japanese forces in the work of suppressing seditious and other unlawful activities at Hungchun and in the Chientao district. The district concerned is largely populated by Koreans, most of whom have been driven there by the Japanese participation in the Siberian expedition and recent Japanese activities in Korea. It has long been Japan's intention to drive Koreans into this pocket and then exterminate them. In this respect, Japanese policy can well be compared to the old Turkish policy of extermination of Armenians. It is hoped that China will not fall into Japan's proposal of cooperation in an organized campaign against the Koreans. Another motive for Japan's creation of this incident—it is too well known that Japanese militarists often hire *Hunghutze* (bandits) and other robbers to make a disturbance in order to supply an excuse for aggressive action—is her attempt to annex that stretch of Chinese territory. "Hungchun," says Mr. Putnam Weale, "is the nearest important point on Chinese territory to the Sea of Japan—that important sheet of water which is virtually landlocked and of which Japan now holds all the keys. Hungchun is so close to Possiet Bay (which should have been retained by China in 1860 if the statesmen of the day had had any imagination) that it is reached in a few hours by carriage. That this district should have been singled out for the latest 'massacre' is curious and illuminating. Just prior to this affair it should be recalled that the *Hunghutze* bands attacked the valuable Su Chan coal mines near Vladivostok, necessitating their occupation by Japanese troops precisely in the way that Hungchun has now been occupied. Whether these affairs form a sure guide to Japanese policy remains to be seen. In the opinion of the writer they have precisely that character." "The Japanese occupation of the Maritime province of Siberia with Vladivostok makes it highly desirable to secure Japanese military control of the Chientao district in order to control the whole coast of the Japan Sea from Siberia to Korea," says another foreign expert on Chinese affairs. He continues that Mr. Colby, American Secretary of State, by guarding the integrity of Russian territory, may force Japan ultimately to evacuate Siberia, hence Japan is prepared for eventualities by the occupation of the entire Chinese coast to Vladivostok. The belief prevails in China that the bandits were secretly instigated by Japanese militarists to make the attack on the Japanese Consulate to provide excuse for occupation of the locality by Japanese troops and that the hired peace disturbers in killing some ten Japanese got out of the control of their paid masters when they found that the chances for looting were so tempting, More will be heard of this created incident in the near future.

THE worst mining disaster in modern China occurred on October 14, at the Tongshan mine of the Kailan Mining Administration in Chihli. Approximately 400 Chinese laborers, according to reports, were killed and some 119 were brought to the surface and resuscitated. The full news of the disaster did not leak out until several days later. The mining authorities made a strenuous effort to suppress it but without success. The explosion, according to the official statement of the Administration, occurred in next to the lowest level of the mine, No. 9 level, and in a part of the mine where fire damp was known to be present. The accident is now under investigation. The Administration authorities lay the blame upon the coolies who are now dead. While admitting that no conclusive evidence has so far been obtained, they insinuate that the miners were accountable for the disaster. "It is believed, however," according to the statement, "that the accident was due to the tampering of the laborers with native lamps. The lamp used is surrounded by wire netting and so long as the flame is inclosed within this netting it is impossible for ignition of fire damp or other gasses to take place. Although the quantity of fire damp present in the Kaiping Mine is comparatively slight as compared with other mines abroad, minor explosions have from time to time taken place, and have been due to the opening of the safety lamp in order to light a cigarette or for other reasons. The fact that on the bodies of some of the victims cigarettes were found affords some evidence that the opening of the lamp for the purpose of lighting a cigarette was the cause of the accident." The insinuation that the explosion was possibly caused by the lighting of cigarettes is rather absurd. Before the miners go down into the mine to work, their persons are searched for cigarettes and matches. The rule of the Kailan Mining Administration, we understand, is very strict on that point, providing not only the confiscation of cigarettes and matches found but also punishment of their possessors by other means. Workers in both No. 9 and No. 10 levels are subject to even stricter examination.

The relatives of the unfortunate coolies believe that the Administration authorities were too anxious to make huge profits for its shareholders at the expense of the miners. They contend that the disaster this time could have been avoided if the Administration had showed more consideration for its employees. A few minutes before the explosion reports were made to the effect that there was fire damp present. In such case it behooved the authorities to introduce more fresh air to dispel the damp, but instead of doing this, the engineers are said to have instructed the coolies to lower the flame of their safety lamps and go down and proceed with their work. Shortly afterwards the explosion followed. About seventy percent of the miners operating in the No. 9 level were killed by suffocation. The relatives of each dead laborer were given $60, whereas the Administration is now said to be making something like eight hundred percent profit annually. Chinese labor indeed is so cheap that whenever any explosion occurs, the first question which the managing staff in that mine asks is said to be: "How many animals have been killed?" Perhaps the Administration authorities are more concerned with the killing of 180 mules in the explosion than with the killing of Chinese coolies. From a financial point of view they are probably correct. That is perhaps why the foreign engineers, although aware of the presence of fire damp, still order men to dig out more coal for the company. We are told that the damp often explodes in contact with light, and not necessarily in contact with the fire. If so, the 400 odd coolies were deliberately sent down to die. It almost amounts to cold-blood murder. We urge that the Chinese government interests itself in this matter and order an official investigation, and readjust the rules of the Administration for compensation to persons killed in accidents. One way of forcing the Administration to be more considerate of the lives of its employees would be to require it to pay heavy compensation for every coolie killed in the mine while in its service. This has been done in western lands and since the Kailan Administration is largely a western enterprise there appears to be no reason why it should not observe the same humanitarian regulations that are in force where the company has its head office.

READERS of the *Review* have of course noticed a full page advertisement of the city of Nantungchow, the "Model City of Kiangsu Province" which appears in these pages each week. So far as we know this is the first instance of a Chamber of Commerce in China adopting the progressive methods common among leading cities of America and Europe in advertising their advantages to the outside world. Nantungchow is an exceptional city and it is making its influence known not only in China but abroad. It is difficult for the average foreigner to get to Nantungchow, but the advertising has served to overcome the difficulty by making people desire to visit the "Model City" which is located on the north bank of the Yangtsze River, some eighty miles from Shanghai. The results of the advertising placed in the *Review* by the progressive business men of the place have been nothing short of remarkable. Several weeks ago we printed a letter from the Chairman of the Chamber of Commerce asking the indulgence of persons who "had written him so many letters of inquiry" that he had been unable to answer them all. And letters are not all. There have been visitors, hundreds of them both Chinese and foreigners from all points of the compass and among the visitors have been business men, educators, and high officials of foreign governments. They all want to know about Nantungchow and its industries and better yet they desire to make the acquaintance of the Chinese business men who are making Nantungchow a city that is different from most Chinese cities and districts. An example of the type of letters that prominent people are writing about the Nantungchow spirit is shown in the following which came to the *Review* this week:

> "I can hardly pass by the last issue of the *Review* without a comment upon the ad carried by the Nantungchow Chamber of Commerce. When a Chinese Chamber of Commerce shows the enterprise which prompts the insertion of an ad of the character of that in the *Review*, I am led to believe that it will not be long before we shall hear from these Chinese business organizations in a very substantial way. The Chinese Chamber of Commerce should be a most important and a most active factor in the developments of the New China. We all appreciate the sterling qualities of the Chinese business man. He has made for himself a world wide reputation for ability, honesty and industry. He has only failed in civic spirit and constructive organized effort. The ad to which I refer, indicates a civic spirit and constructive organized effort on the part of the members of the Nantungchow Chamber of Commerce which are indeed most commendable and which should mean much for the future. All friends of the Chinese people rejoice in this evidence of civic enterprise and hope the day may not be far distant when every community of Chinese business men will come to realize that the greatest service they can render their country is in the development of a civic spirit in that community. China's salvation

rests with the Chinese people. The Chinese business men through constructive organized effort can make their country independent, self-sustaining and prosperous. The motto or slogan among the business men of the New China must be "He profits most who serves most" if the Chinese people are to regain their economic freedom, in full measure. Thus my congratulations to the Nantungchow Chamber of Commerce. You may if you wish convey these sentiments to that body."

How Shanghai is Governed *

BY MR. E. C. PEARCE

IT was with much pleasure that I accepted the invitation of your Committee to address you this afternoon on the subject of the government of Shanghai. I will endeavor to make it as interesting as possible and trust that the more or less condensed survey of the evolution of Shanghai and its Municipal government will be a comprehensive one.

The birthday of Shanghai dates back to the Treaty of Nanking 1842, when the port was thrown open to foreign trade and residence. The settlers in these early days were practically all of British nationality and curiously enough judging from the records, they were principally English. The original area or Settlement was determined in 1843, by Captain Balfour, the first British Consul, with the then Taotai, who dwelt in the native city; the area being about one square mile, bounded on the south by the Yangkingpang—now Avenue Edward VII—on the north by the Soochow Creek, and west by the Defence Creek—now the Thibet Road. Two years later the first Code of Land Regulations was published by Captain Balfour and the settlement administered, not as a municipality, but by a Committee of Land Renters. It is interesting to note that provision was made in these Regulations that, if individuals belonging to other nations should wish to rent ground and build houses, or rent houses for residence or storage of goods within the boundaries of the Settlement they had first to make application to the British Consul "to know whether such could be acceded to so as to prevent misunderstanding." These Regulations proved unsatisfactory as with the advent of other nationalities and their Consuls, the validity of the Land Regulations so far as they were concerned came into question. The want of some authority by which the cosmopolitan foreign population in the Settlement might be welded together and the need of a form of municipal government binding on all alike, led in 1854 to the introduction of a new Code of Municipal Land Regulations of a more or less comprehensive character.

In or about the year 1845 Dr. Boone and the American Episcopal Mission established themselves as the first foreign settlers on tho northern bank of the Soochow Creek, and on the river embankment where Broadway now exists: others followed, and as a rule they were Americans; thus the name American Settlement came into use as describing what is sometimes referred to as the Hongkew Settlement. Connexion between the north and south sides of Soochow Creek was kept up by means of the Sinza stone bridge and by ferries. There was, however, no bridge between what was known as the English Settlement and Hongkew until sometime in the fifties, when the Wills Bridge consisting of pontoons was built across from the British Consulate to Woosung Road.

In the sixties, with the presence of the Taipings in the neighbourhood, these Settlements were overrun with rowdies, Hongkew in particular suffering, the community there settled being unable to maintain a sufficient police force to keep order, whilst apart from this the authorities found themselves confronted with the task of looking after a very large Chinese population over which they had no judicial control. As a consequence, negotiations were begun in 1862 for the amalgamation of the Settlements, but no definite decision was reached until September 21, 1863, when the American community met and resolved upon union with the British Settlement. After considerable discussion between British, American and Chinese officials, as well as the then Municipal Council, the union was agreed to and the so-called American Settlement came under the Land Regulations in common with the so-called English Settlement. The so-called French Settlement which had in the meantime grown upon on the south side of the Yangkingpang, came in at first, but afterwards special action was taken by the French Government and a Code of Minicipal Regulations applying to that Settlement was published in July 1866. Since that date the French Settlement has always been administered by a Municipal Council of its own.

The new Code of Land Regulations received the sanction of the Diplomatic Body in 1869. The control of the Council vested in the Consular Body under the Code proved a fruitful source of friction, for it was contended that a self-governing community might well dispense therewith. Accordingly in 1881, the Regulations were again revised and an attempt made to vest the Council with almost absolute powers. By-laws were to be made, altered or repealed without reference to the Diplomatic Body, plenary powers were to be vested in the police, etc., etc. The Diplomatic Body, however, amended this Code so as to restrict the Council's powers very largely to that of an executive body only; the approval of all the Consuls and of the Chinese authorities, and of all the Diplomatic Body in Peking was required for any amendment of the By-laws, the police powers were considerably modified, and finally any decision of the ratepayers in the case of matters not dealt with specifically in the Code, required Consular approval. The new Code then amended was submitted after further revision to the Diplomatic Body in 1883, but was not passed until 1898, when the Taotai expressed his unconcern in Municipal Regulations which he stated were a matter for arrangement between the Council and the Consular Body.

With certain modifications, this is the Code under which the Foreign Settlement is administered by a Council of not more than nine or less than five elected annually by foreign land renters and ratepayers, who have their parliament or meeting once a year, when a

* This address by Mr. Pearce former Chairman of the Shanghai Municipal Council was delivered before Shanghai Civic League at the Royal Asiatic Society Hall on Tuesday, October 26, 1920.

report of the work of the Council for the past year and the estimates for the next year are presented for consideration. Apart from this annual parliament, ratepayers have facilities under the Land Regulations for calling special parliaments or meetings when it is desired to deal with any matter which cannot or should not be left over for decision by the annual parliament, and thus the administration of the Settlement by the Council is at all times subject to shroffing by the Ratepayers. In matters affecting relations between the Council and the Chinese authorities the channel of communications is, as a general rule, the Consular Body. Judicial powers over foreigners are under the grant of extraterritoriality vested in the Consular Courts of the foreigners concerned or in the case of unrepresented foreigners or Chinese, in the Mixed Court which was established in 1864. The Council have the right to sue in these Courts, and is in turn sued in a Court elected from the Consuls of the Treaty Powers and known as the Court of Consuls. The Municipal Police Force provides the executive for all these Courts. No arrests can, as a general rule, be made except upon a warrant of the proper court, and in the case of the Mixed Court countersigned by the Senior Consul. Since 1911 the execution of Mixed Court summons and warrants has been entrusted to the Municipal Police.

With regard to the extension of the Settlement from its original area it is interesting to read Taotai Li's Proclamation dated May 8, 1899 and handed to the Chairman of the Municipal Council through Monsieur Valdez, Consul General for Portugal and Senior Consul, of May 11, 1899—and is given at length in the annual report of the Shanghai Municipal Council 1899, Pages 261/264. The following extracts are not without interest. That is the second and last paragraphs of the Proclamation, which read as follows:—

2d. *Paragraph* "Whereas later on it was decided to add a new section to the Hongkew Settlement, and on the 13th day of the 5th moon in the 19th year of Kuang Hsu (June 26, 1893) the former Taotai Nieh appointed the District Magistrate of Shanghai Huang as his deputy, who in conjunction with the Consul-General for the United States and Senior Consul-General fixed the boundaries of the Settlement and put up boundary stones.

Last Paragraph "Having directed the District Magistrate of Shanghai to join Messrs. Fu (Ferguson) and Yu in cooperation with the President of the Municipal Council in preparing a map and erecting the boundary stones of the International Settlement as it has been determined to extend it; and having communicated with the Consuls of all the Powers here represented; let all men know by these presents that subsequent to the issue of this Proclamation the entire area of the International Settlement shall be within Municipal control, excepting temples founded by Imperial sanction and sites employed officially by the Chinese government; with these exceptions, the existing Regulations shall operate and must be obeyed."

Under Land Regulation XIX nine councillors are elected annually, a few years ago it was in January, now the elections are held during the month of February. The so-called Shanghai Annual Parliament taking place early in April. At their first meeting these nine gentlemen elect their Chairman and Vice-Chairman, and then proceed to divide themselves into committees of three each to supervise, Finance, Works and Watch.

If I am not boring you, gentlemen, let us take up each branch and ascertain what it does individually to govern a population which according to the census in 1915 was 18,519 Foreign and 620,400 Chinese. What the population is to-day will shortly be published as the quinquennial census was taken out on the 16th of this month.

Finance :—Attend to all matters financial, such as: All salaries, which have to be renewed every three years, superannuation fund, revenue and expenditure, of all departments, loans and redemption of loans, Municipal Bank. Various grants, etc.

Our estimated ordinary income for 1920, this year, in the last published Budget stands at about 4¾ million taels, made up approximately as follows: Land Tax 7/10 of 1 percent estimated for 1920, Tls. 1,055,000, General Municipal Rate 14 percent on rents for 1920 Tls. 2,097,500, 7 to 12 percent on outside limits Tls. 50,000, Wharfage Dues Tls. 350,000, License Fees Tls. 622,400; the balance being made up of other items, all detailed in the annual report.

The estimated expenditure is all detailed in the Municipal Budget for 1920 and practically absorbs all the income, which has increased from Tls. 3,051,000 in 1915 to Tls. 4,419,000 last year.

The city's total loan indebtedness at the end of 1919 amounted to about Tls. 11,300,000 of which Tls. 6,850,000 was loaned to the electricity department. It is not generally known that the assessed value of the land owned by the Municipal Council stands in at close upon Tls. 6,000,000 and buildings at about Tls, 3,250,000, and that the sundry assets of the Electricity Department stand in our balance sheet at Tls. 12,870,000. Accounts are all audited, of course, and published in ample time for any ratepayer to criticize or ask questions thereon at the annual ratepayers meeting.

The business of the Public Works Department is to look after 138 miles of roads, and 637,000 ft. of paved and unpaved footways; 49 bridges are controlled and it took 150,000,000 gallons of water to keep roads and bridges clean during 1919, over 3,000 coolies employed daily.

Then there are miles of underground drainage. Public lighting is looked after; permits for all buildings have to be granted to see that they comply with the Council's Building rules and that in public buildings sufficient exits are allowed in the event of fire; this is supervised by the Public Works Department in conjunction with the Fire Brigade. Then they run the industrial undertakings—convict labor, concrete ware manufactory, Pingchao quarry which has an area of 155 mow, is situated 140 miles by water from Shanghai, and supplies all the stone for our roads. It is run by two foreigners and some 170 Chinese. Then there are the Tungchow Road Workshops, Sewage disposal scheme. Parks, Cadastral Lots; in which connexion I cannot do better than read you a part of Mr. J. F. Brenan's able article on Land Registration in Shanghai, which appeared in the October number of the British Chamber of Commerce Journal.

Municipal Cadastral Office. "No Article on land registration in Shanghai would be complete without

some mention of this admirably run department of the International Municipal Administration. The Cadastral Office was established in 1900 with a view to coordinating the work of the different Consular Land Offices and to providing scientifically prepared plans of the Settlement on which the exact location of any lot could at once be found, and which would provide a basis for the municipal assessment of land for taxation purposes. All lots inside the Settlement are now surveyed by the Cadastral Office and the official plans attached to the deeds are prepared by it. In addition to the Consular number, moreover, a municipal cadastral number is given to all lots in accordance with their geographical position so as to facilitate reference on the cadastral plans. The Cadastral Office keeps its own records of land ownership, and is supplied monthly by the Consulates with information of all new deeds issued and transfers that have taken place. Its activities have not been entirely confined to the Settlement, and at the request of the Consular Body it has also surveyed considerable areas on the outskirts of Shanghai. It is useful for property owners to remember, too, that the Municipal authorities undertake to provide and erect properly marked boundary stones at the rate of Tls. 3 per stone, and to provide 50 feet scale plans of their properties at a nominal of $1.50 for six mow with a minimum charge of $3. The Office is under the control of Mr. C. H. Godfrey, the able Commissioner of Public Works, and is run by a very efficient staff of foreign and native surveyors."

Watch:—The Committee attends to Police affairs. The actual strength of the Police Force according to the Commissioner of Police's report for 1919, is as follows; 225 Foreigners, 666 Sikhs, 30 Japanese, 263 Indian Watchman under Police supervision, 1,354 Chinese Police. On an average, there are 1,600 prisoners always in the Municipal goal. The records of the Finger Print Office, (started in 1910) to December, 1919 show 91,190 finger prints registered and 36,358 identified.

Dealing briefly which the volunteers and Fire Brigade—the latter body now consisting of the Chief Officer, 10 foreigners, and 235 Chinese, Mr. Pearce observed: "The Brigade's equipment is the envy of an old fireman like myself, and in every respect is equal to any in the world."

Proceeding, Mr. Pearce briefly outlined the work of the Health Department, and of each Sub-Committee, amongst other interesting details stating the following:

The Foreign Education Committee provides for 1,018 pupils, at an estimated cost this year of Tls. 211,400; Chinese, 1,075 pupils, at a cost of Tls. 87,500; Band Committee, estimated expenditure, Tls. 69,700; The Park and Open Spaces Sub-Committee has control of the following areas given in mow: Rifle Range 241, Bund and Public Gardens 28, Quinsan Square 10, Hongkew Park 300, Jessfield Park 200, Hungjao Road nurseries 120, Wayside Park 36, Studley Park 5½, and in addition to these the Committee undertakes care of the Public Recreation ground.

In connection with the sanitary arrangements, Mr. Pearce mentioned that last year 123,000 tons of refuse was collected and disposed of at a cost of Tls. 7,143.

The Public Library statistics show that 17,076 people visited the library in 1919, and that 17,617 books were taken out by subscribers.

In addition to these committees, there was the Land Commission, made up of three ratepayers, who arbitrated in cases of dispute over the price of land required for public services.

The Secretariat acts as the chief executive of the Council and as a clearing house for all departments so that when, for example, an application is made by the public on a matter which affects both the Public Works and Health Departments the Secretary, whose most responsible duty is really that of remembrancer and general adviser to the Council, takes action to refer to and obtain the views of the Heads of these two Departments, thereafter laying the application and their views before the committee or committees concerned and obtaining their instructions, which, subject to endorsement by the Council when necessary, are communicated to the Departments for their action.

The staff has now grown to a total of approximately 700, including the Foreign Branch of the Police Force. During the past few years in particular the Settlement has shown extraordinary growth in spite of adverse influences, and statistics recently prepared show that Municipal work has increased since the beginning of 1915 by no less than 50 percent. My own experience, and I have had more than my fair share, as one of your representatives on the Council, is that the task which a Councillor is called upon to perform in the public interest is not by any means a light one, indeed it makes a very severe call upon his time. I cannot see any possibility of any alleviation: in fact the work of every new Councillor with the continued expansion of the Settlement becomes heavier than that of the last, but so long as we can get good men to come forward and serve as Councillors I have no hesitation in saying that the system of government, cramped as it is by reason of the all insufficient powers which are vested in the Council, is on the whole a satisfactory one, and that the work which is performed by the permanent staff is most efficient and praiseworthy. The Council publishes a weekly *Gazette* giving as much information as is deemed advisable. It is, of course, easy to criticize, but so often criticism is destructive rather than constructive, and founded upon a lack of appreciation of the true facts of the case. It often happens that the Council and the permanent staff are blamed for not doing this, that or the other, when this, that or the other has had to be left undone through lack of the requisite powers, or because of financial or other considerations, which are and generally must of necessity be unknown to the public, and thus unappreciated. In conclusion, gentlemen, I would ask those of you who are interested in the government of Shanghai carefully to peruse our Land Regulations and Bylaws, weekly *Gazette*, and also the Municipal Council Annual Reports.

Silk! Silk! Silk!

BY JULEAN ARNOLD.
American Commercial Attache, Peking

AMERICA will observe for the first time in its history, a silk week. On February 6-12, next year all the shops throughout the United States which carry silk goods will make special displays to popularize silk among the American people. At the same time the silk manufacturers of America representing a billion dollar industry will set the

Grand Central Palace, New York, into a blaze of color in the First International Silk Exposition held in the U. S. The object of these grand and extensive displays is to demonstrate to the people of America the commanding position among the industries of the world which silk has achieved. If some one in 1875 had predicted that America which then imported one million dollars worth of raw silk would in 1920, only 45 years later, be importing $455,000,000 worth, he would have been branded as a fool. The growth of the silk industry in America reads like a romance.

Although the U. S. today probably takes the lead as a manufacturer of silk fabrics, it must depend upon China and Japan for the bulk of its raw materials. Last year Japan furnished $320,000,000 worth and China $81,000,000 worth,

It is interesting to note that while China nearly 5,000 years ago invented the art of reeling silk from cocoons and to China the world is indebted for this industry, today in one of the greatest of silk consuming markets, China furnishes but one-fifth of the total quantity of raw material. The better qualities of China's silk excel in textile-strength and durability, but it is only recently that the silk producers in China have come to realize that America must have its silk prepared differently from that which for countless ages has met the requirements of the hand looms of the Orient. The prosperity of the U. S. today is due in a large measure to the utilization of machinery in industry and the high speeded machine looms used in silk manufacture in America, require a standardized, uniform skein. The hand looms of China did not encourage uniformity or standardization of skeins.

Mr. Douty, representing the Silk Association of America after a tour over the silk producing sections of China, a few years ago, made the following recommendations in regard to the improvement of silk and sericulture, in order to put China in a position to to profit by the rapidly increasing demands of the American market:

First: Modifications of her present methods of reeling the silk cocoon filament into raw silk thread which shall be clean, more uniform, more compact and wound into skeins of proper size and formation to enable manufacturers to wind, double and spin it into silk yarn with less expenditure of time and money.

Second: Improvements in the present methods of sericulture, i. e., the growing of the silk cocoon by the farmer so as to produce a better and more uniform quality of cocoon and a larger quantity with the same consumption of mulberry.

Third: Extension of sericulture to lands which are unsuited for the profitable production of foodstuffs but which are sufficiently fertile to produce good mulberry for the feeding of silk worms.

Fourth: The unification and standardization of the present provincial sericultural schools and the extension of sericultural education under the direction of an educational branch of the central government and the utilization of the schools by means of short courses for teaching modern sericulture to young men and women who will become the actual silk workers rather than teachers or government officials.

Fifth: The establishment of a sericultural bureau either by the government or through a national silk and cocoon guild for the production of certified eggs of assured quality to be furnished to the farmers at little or no cost but with the stipulation that that they are to be hatched and fed according to proper methods.

Sixth: The establishment of a form of inspection service either by the central government or the provinces which will assure the quality of all silk offered for export and will curtail all kinds of trade abuses which will injure the reputation of China silks.

The possibilities for Chinese silk in American markets are marvelous. Judging by the advances made in the silk industry in the U. S. during the past ten years, when imports of raw silk increased from $70,000,000, to $455,000,000 we may expect during the next ten years double the present importations. Thus China may through a little enterprise and attention to the essentials in this industry, increase her export of raw silk to the U. S. to a sum greater than the aggregate of all of her export today, and increase the country's wealth in a large measure.

The International Silk Exposition at New York, to which the Chinese are now invited to send delegates and make an exhibit, will accord the Chinese silk interests an opportunity to become better acquainted with the needs of the American manufacturers and through personal acquaintance with these manufacturers get a better hold on that market. These delegates may return to China prepared to assist the Chinese people better to prepare their silk to meet the needs of the American high speeded machine loom, in other words to produce the American standard skein. This is an opportunity which should interest the Chinese government and all classes of people in China, as it can be the means of adding hundreds of millions annually to the wealth of the nation.

Treaty-Making Power in the United States*

BY THE HON. JOHN W. DAVIS
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IT is not easy for a Diplomatic officer, in search of a subject upon which to address a serious-minded body like the Oxford University British-American Club, to select a topic at the same time sufficiently concrete to be of interest, and sufficiently abstract to be within his permitted limits. He must forego, of course, any discussion of matters in train between his government and the one to which he is accredited; he must be dumb upon all political questions agitating his own countrymen; while as to those which disturb the serenity of his hosts he must, for his life, be not only dumb, but to outward appearance deaf as well. Such restrictions, you will realize, are rather a severe abridgement of the Constitutional right of free speech. They leave their unfortunate subject little secure footing outside the realm of palaeontology or the higher mathematics.

I believe, however, that I shall not transgress if I ask you to consider the history and scope of the treaty-making power of the United States, or rather, from the point of view I have in mind, their treaty-making machinery. It is not impossible that some of its manifestations have come to your attention within the last twelve months; and from time to time there has been reason to fear that not all who witnessed its revolutions, or heard the clanking of its parts, have understood the mechanical principles by which it was controlled. Doubtless none of this audience fall within this category; but since you exist, not only to secure but to disseminate information between our

*An address before the Oxford University British-American Club.

countries, I offer no apology for inviting your attention to the particular function of government with which all nations are reciprocally concerned.

There is a peculiar reason for such studies on the part of Britons and Americans. As no two nations are so much alike, so none are exposed to greater danger from a failure to recognize their differences. It is an observation worth some reflections that in all probability neither the War of the Revolution nor the War of 1812 would have occurred if the Americans and English of those days had been less rather than more alike. From the American point of view the Revolution was begun as Englishmen, and continued in defense of rights to which the Colonists in common with other Englishmen were entitled by right of English blood. The searches and seizures that brought on the War of 1812 could never have resulted in the taking of some 2,500 or 3,000 American seamen by British cruisers from the decks of American vessels had it been possible to distinguish them either by speech or by appearance or by habit from those of British allegiance. You said they were British, and if not they ought to be. We said they were Americans and that ought to settle it. So we went to war, spilt each other's blood and wound up without deciding which was in the right, being careful in the Treaty of Peace to avoid all reference to so delicate a subject. The many similarities between the two peoples ought to make, and quite surely do make for their continued friendship; but we must be careful not to put upon these ties a strain stronger than they will bear, and we shall know their strength better if we test them link by link.

It is with such thoughts in mind that I approach the subject I have chosen. As I proceed you will find the American system in many respects not unlike that of Great Britain, but you will also detect many divergencies which I shall not tarry to point out. For, while the foundation as well as the superstructure of the American government was taken in large part from that of England—some by direct inheritance and some by conscious imitation—yet the architects who used these materials gave rein to their individual fancies and convictions and produced a building different in many respects from the ancestral home. The changes time has made in the new structure and the old have not always made them more alike.

Both, for instance, are on the model of government through parliamentary assemblies. But the British Parliament having enacted a law, proceeds in its own person through the Ministry to supervise its execution; our Congress, having given birth to a statute, has nothing to do with its subsequent career, unless indeed it chooses to play the part not of executive, but of executioner. When Parliament has expressed its will, it lies with no court to say that its powers have been exceeded, for Parliament is itself the reservoir of the full power of the State; with us any Act passed by Congress or by the Legislatures of the several States is open to challenge in any court, from the lowest to the highest, upon the ground that it oversteps the limit which the Federal or State Constitution has fixed for the exercise of legislative power. The Royal veto in England has long lapsed into desuetude by lack of use, but no single President of the United States has hesitated to avail himself of his constitutional authority to veto bills with whose form or substance he was not content. Parliament and Congress are each bi-cameral bodies, but it has been made possible for the House of Commons to have its own way, the Lords to the contrary notwithstanding. In America a firm deadlock between the Senate and the House of Representatives can be resolved only by a change of minds or a change of members. And finally, it is the theory of the British Constitution that the treaty-making power is vested in the King, acting through his responsible ministers while the framers of the American Constitution committed it to the joint custody of the President and the Senate.

The Constitutional Provision

The language of the Constitution, Art. III, sec. 2, is that "He—the President - shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

To understand the American Constitution it is necessary to bear in mind the circumstances and the atmosphere which surrounded the Convention by which it was devised. That body met hot on the close of the War of Independence, and its members had all borne in greater or less degree some part in the struggle. To them it had been one of resistance to arbitrary and tyrannical authority. They had suffered, as they believed, from a deliberate effort on the part of the Crown to enlarge its power and invade the domain of the elected representatives of the people; and they were determined that, having shaken off their allegiance to George III, they would set up no imitator in his stead. With few exceptions, of whom Alexander Hamilton was the most conspicuous, all were overshadowed by a wholesome fear of unrestrained and ill-defined authority. To speak of a government as "strong" was to condemn it in advance. The political thought of the day, moreover, was under the spell of Montesquieu and his monumental treatise on the Spirit of Laws, and accepted as axiomatic his tripartite classification of the powers of government as Legislative, Executive and Judicial, and his dictum that liberty was safe only when no two of these were lodged in the same hand. The machine which the Convention invented, therefore, was one of checks and balances throughout, allotting to each grand division its appropriate powers, but making the exercise of these conditional upon the concurrence of one or both of the others. Thus, while Congress alone may legislate, the President may veto, and the Court may test the statute by the constitutional yardstick. The President has great power of appointment to office and great authority as Commander-in-Chief of the Army and Navy; but the Senate must confirm his appointments and Congress alone can raise and maintain, assemble or dismiss, the forces which he is to command. The Judges of the Federal Courts hold office during good behavior, and are independent and untrammelled in the discharge of their judicial duties; but the Senate must confirm them upon appointment, and Congress must prescribe their numbers, and the organization and jurisdiction of the Courts over which they are to preside. Indeed, I think at the moment of but one power given without some corresponding check—the power of executive clemency; although even here the President would be answerable before the Senate by impeachment for its corrupt use and to the people at the ballot box for its unwise exercise.

Few governmental agencies are invented outright. Their roots are commonly in the past. It will help therefore to recall the three distinct stages through which the revolting colonies passed on their way from individual independence to Federal Union.

The first of these was the era of the Continental Congress, first assembled in 1774, composed of delegates from the several colonies, whose duty it was to concert measures for the common defense. It was this body which afterwards declared war,

adopted the Declaration of Independence and gave birth to the Articles of Confederation. It was a gathering of plenipotentiaries from independent units, bound together by no written compact. Nevertheless, it found it expedient to contract with foreign powers. Commissioners were appointed to negotiate with various European nations, but the treaties which they reported were made for and on behalf of the thirteen States by name, and the Congress shared with one other officer the power to direct the negotiations and ratify the result.

The second was the period of the Confederation, beginning with the adoption of the Articles of Confederation, framed in 1777, finally ratified by all the States in 1781, and lasting until the inauguration of the new government under the Constitution in 1789. In entering the Confederation the States were careful to reserve their "sovereignty, freedom and independence, and every power, jurisdiction and right which is not by the Confederation expressly delegated to the United States in Congress Assembled." The sole and exclusive right and power of entering into treaties and alliances was vested in the "United States in Congress assembled," upon condition that nine[1] of the thirteen States voting as units in the Congress should assent to the same. So determined was the Congress to keep in its own hand the trust thus committed to it, that the appointment of a Secretary of the United States for the Department of Foreign Affairs in 1782 was accompanied by a resolution requiring all instructions to Ministers of the United States, all letters to Ministers of Foreign Powers in relation to treaties, all letters of credence and the plans of the treaties themselves to be submitted to Congress for its inspection and approbation. This was certainly clumsy machinery, yet it sufficed to bring about in 1783 the treaty with Great Britain which recognized American independence and established the new nation.

The third era is of course that of the "more perfect Union" under the Constitution, which began with the inauguration of President Washington in 1789. When the Constitutional Convention met in 1787 the mind of the delegates was accustomed to Congressional control and State approval of treaties and treaty-making, and therefore it is not surprising that the first draft reported to the Convention by its Committee on Detail vested the power to make treaties and appoint Ambassadors in the Senate alone, choosing that body because it was the representative of the States as was the lower House of the people. After discussion of this proposal, which was criticized as lacking in those elements of secrecy, dispatch and prompt decision so necessary in delicate negotiation, a later report recommended the transfer of the power to the President, acting by and with the advice and consent of the Senate, or of two-thirds of the members present. This provision, although finally adopted, was not permitted to escape without challenge. Some thought the power should lie with the President alone, others that it should remain solely with the Senate. Some thought the requirement of a two-thirds majority objectionable, since a minority might be able to block a treaty of peace and thus prolong a war which a majority were anxious to conclude. Others fancied that the danger lay rather with the President, who, if the Senate were not left in sole control, might block the conclusion of such a treaty in order to prolong the great accession of power and influence coming to him in consequence of a state of war. Governeur Morris urged that the concurrence of the President and a bare majority of the Senate should settle the question of peace; while Elbridge Gerry contended that treaties of peace dispose ordinarily of such vital matters that they of all others should be guarded by the two-thirds requirement. Numerous amendments, presenting these and other points of view, were voted down, and the clause was permitted to stand as we have it today. As Charles Cotesworth Pinckney of South Carolina put it in the debates that followed when the work of the Convention was before the several States for their approval:

> At last it was agreed to give the President a power of proposing treaties as he was the ostensible head of the Union, and to vest the Senate (where each State had an equal voice) with the power of agreeing or disagreeing with the terms proposed.

Or in the language of Thomas Jefferson in his Manual of Parliamentary Practice, adopted by the Senate as the basis of its rules of order:

> By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary Legislature; the President originating and the Senate having a negative.

Perhaps this brief summary puts the case as well as would a longer exposition. It answers, at least, to the point where the work of the Senate is concluded; for I would have you understand that in the formation of a treaty, valid and binding upon the United States, there are three distinct and indispensable stages. These are, first, negotiation by the President; second, approval by the Senate; and third—and this is by no means a mere form—ratification by the President. Let us consider these in order.

Negotiation by the President.

"The President," said John Marshall, "is the sole organ of the nation in its external relations, and its sole representative with foreign nations"[2] As such, his discretion in the matter of negotiation is absolute, and uncontrolled. The time, the manner, the subject of the negotiation, are all for him and him alone. He may begin at his pleasure and leave off at his will. He may conduct the negotiation through the usual diplomatic channels or by means of special agents of his own choosing; and of course, what he might do through his agents he may do in his own proper person. He may bring forward any project which meets with his approval, and he may decline to enter upon any topic which his judgment rejects. In the former event his work must ultimately be passed upon by the Senate, but in the latter the Senate is powerless to stir him to action.

In the nature of things this must be so, for it needs no argument to show how impossible it would be for a body to negotiate in any real sense which was composed at its formation of twenty-six members and has grown with the passage of time to ninety-six. It would be mutually insupportable, moreover, if foreign powers were compelled to weigh the credentials of the head of the State. As early as 1793 Mr. Jefferson, writing to the French Minister by authority of President Washington, stated that as the President was the only channel of communication between the United States and foreign nations, it was from him alone "that foreign nations or their agents are to learn what is or has been the will of the nation"; that whatever he communicated as such, they had a right and were bound to consider "as the expression of the nation"; and that no foreign agent could be "allowed to question it or to interpose between him and any other branch of the government under, the pretext of either's transgressing their functions."[3]

1. That is to say, two-thirds.

2. *Annals* 6th Cong. 613

3. IV, Moore's *Dig.* sec. 670.

Of course, he has the right to ask the advice of the Senate at any stage of the proceeding, and the Senate in turn may express its views by an appropriate resolution whenever the spirit moves it. But no duty to make such an approach rests upon the President, and he may give to any expression from the Senate only the weight which pleases him. Long continued custom has practically dispensed with any consultation of a formal character between them in advance.

In the beginning President Washington thought it the better plan to meet with the Senate in person before negotiations were begun. He presented himself accordingly to take their advice touching a proposed treaty with the Southern Indians, propounding a series of questions for their consideration. Discussion broke out, the session was adjourned to the succeeding day, and finally the Father of His Country departed with what one chronicler describes as a "discontented air," adding. "Had it been any other than the man whom I wish to regard as the first character in the world, I would have said with sullen dignity."[4] Another, with perhaps even closer approach to the facts, reports him as saying when he left the Chamber that he would be d——d if he ever went there again.[5] He kept his word, and although the rules of the Senate still make provision for the decorous procedure to be observed on such occasions, Senator Lodge remarked on the floor of the Senate on January 24,1906, "Yet I think we should be disposed to resent it if a request of that sort was to be made to us by the President."[6] The precedent thus set remained unbroken for 128 years, or until President Wilson appeared before the Senate on January 23, 1917, to address them upon the essential terms of peace, chief among these being the formation of a league of free nations to guarantee peace and freedom throughout the world.

Notwithstanding this unpleasant experience. President Washington continued throughout his term to invoke the opinion of the Senate by written messages upon negotiations which he proposed to inaugurate; but with his disappearance from office the custom fell into disuse and has practically disappeared.[7] Instances have continued to occur, but they have been relatively few in number and unimportant in result.[8] As early as October 15, 1804, Mr. Madison, afterwards President, then Secretary of State, wrote to Minister Yrujo of Spain contrasting the Spanish and American practice, in this language:

> Another distinction absolutely decisive is that the conditional ratification . . . proceeded from the Senate, who sharing in treaties on the final ratification only, and not till then even knowing the instructions pursued in them, cannot be bound by the negotiation like a sovereign, who holds the entire authority in his own hands.

And he goes on to add:

> When peculiarities of this sort in the structure of a government are sufficiently known to other governments, they have no right to take exception at the inevitable effect of them.[9]

Henry Clay, when Secretary of State in 1825, expressed the same point of view, thus:

> According to the practice of this government, the Senate is not ordinarily consulted in the initiatory state of a negotiation, but its consent and advice are only invoked after a treaty is concluded under the direction of the President and submitted to its consideration. Each of the two branches of the treaty-making power is independent of the other, whilst both are responsible to the states and to the people, the common sources of their respective powers.[10]

President Jackson, in asking the Senate on May 6, 1830, for its advice upon proposed treaty with the Choctaw Indians, takes occasion to declare himself

> fully aware that in this resorting to the early practice of this government by asking the previous advice of the Senate in the discharge of this portion of my duties, I am departing from a long and for many years unbroken usage in similar cases. But (he adds) being satisfied that this resort is consistent with the provisions of the Constitution, that it is strongly recommended in this instance by considerations of expediency, and that the reasons which have led to the observance of a different practice, though very cogent in negotiations with foreign nations, do not apply with equal force to those made with the Indian tribes, I flatter myself that it will not meet with the disapprobation of the Senate.

It has been suggested, however, that the Senate might be related to the negotiations leading to a treaty by the appointment of one or more of its members as plenipotentiaries for that purpose. But here again both precedent and, as many think, the better reason, bar the way. Among the Commissioners whom President Madison selected for the Conference at Ghent which closed our war of 1812, were James A. Bayard of Delaware, a distinguished member of the Senate, and Henry Clay of Kentucky, then Speaker of the House. They were impressed, however, with the fact that such a service would impose upon them a double duty, to their colleagues at the conference to respect any confidences that might there be confided to them, and to their associates in Congress to disclose all matters within their knowledge. Accordingly, both resigned from Congress before entering upon their duties as Commissioners. At the end of the Spanish-American war President McKinley sent to the peace conference at Paris a commission of five members, three of whom, Messrs. Davis, Frye and Gray, were eminent members of the Senate. But the practice was so little to the liking of the Senate that a resolution disapproving it was introduced and referred in regular course to the standing Committee of the Judiciary. The Committee declined to report lest its action might be taken as a personal reflection upon the gentlemen selected. Instead, it sent its chairman, Senator Hoar of Massachusetts, to remonstrate with the President and to say to him "that the committee hoped the practice would not be continued." Senator Hoar, in a description of the interview, reports the President as saying "that he was aware of the objections; that he had come to feel them very strongly; and while he did not say in terms that he would not make another appointment of the same kind, he conveyed to me, and I am sure meant to convey to me, an assurance that it would not occur again."[11]

Among the objections urged at the time were that such appointments tended to give to the President an undue influence over the Senate, and violated in spirit if not in letter the clause of the Constitution forbidding any Senator or Representative during the time for which he was elected to be appointed to any civil office under the United States, which should have been created during such time.

It is worth noting also that when this particular treaty of peace was laid before the Senate it gave

4. Maclay's *Sketches of Debates in the First Senate of the United States*, 122-126.

5. 6 *Memoirs* J. Q. Adams 427.

6. *Cong. Rec.*, 59th Cong. 1st sess.. 1470.

7. *Butler on Treaty-Making Power of U. S.*, sec. 462.

8. The most conspicuous of these is perhaps the action of President Polk in reference to the Oregon boundary settlement in 1846. He remarked in his message that "The practice, though rarely resorted to in later times, was in my judgment eminently wise, and may, on occasions of great importance, be properly revived."

9. II, *Am. State Papers, For. Relations.* 625.

10. V, Moore's *Digest*, 200.

11. *Cong. Rec.*, Vol. 30, Part 3. p. 2695.

rise, notwithstanding the make-up of the Commission, to the most heated and acrimonious debate, and for a time its ratification was seriously in doubt.

It narrowly escaped the fulfilment of a gloomy prediction made by John Hay in the month of May, 1898, when he wrote to a friend:

> I have told you many times that I did not believe another important treaty would ever pass the Senate. . . . The man who makes the treaty of peace with Spain will be lucky if he escapes lynching. [12]

But free and unfettered as is the President at every stage of the negotiations, the Senate is no less so when the result of his efforts is laid before it. It then becomes not only the right but the duty of all Senators to give expression to their impartial and independent judgment; and save for moral suasion the President is as powerless to influence their conduct as were they to dictate his own. Moreover, party ties cannot be relied upon to produce favorable action, for occasions are rare when any political party commands two-thirds of the seats in the Senate or a like proportion of those present and voting.

Without entering upon the intricacies of parliamentary procedure, it must be admitted that the path of a treaty through the Senate is not always strewn with roses. The treatment meted out has taken many different forms. The Senate has at various times (1) approved unconditionally, (2) approved with amendments, (3) approved without express amendments but upon condition that certain changes should be made, (4) approved with an accompanying resolution of reservation or interpretation, (5) failed or refused to act and so permitted the treaty to die an unnatural death, or (6) disapproved and rejected.

The right to amend, or to approve upon condition that amendments should be made, was exercised from the outset. When the Commercial Treaty with Great Britain, negotiated on behalf of America by John Jay, first Chief Justice of the United States, was laid before the Senate in 1795, the 12th Article, by a rather inexcusable oversight on Jay's part, was so drawn that it prohibited the transportation of American cotton in American vessels; it failed, moreover, to open the trade with the British West Indies to the extent which had been hoped. The Senate accordingly revised and consented to the ratification of the treaty "on condition" that an article should be added suspending so much of the objectionable article as related to trade between the United States and Great Britain. This was assented to by the British government and ratification ensued. Since that time the practice has been followed with no little freedom, one author having computed that seventy treaties so amended had come into operation between the birth of the Union and the year 1906,[13] and the number has been added to since that day. Indeed, it is not at all uncommon for the President in transmitting the treaty to the Senate to suggest certain amendments which further consideration upon his part has led him to advise.[14]

Of course, such amendments are of no effect until they have received the consent of the other party to the covenant, and in this sense the Senate may be said to negotiate. But they are not considered to require a reopening of the formal negotiations nor a resigning of the treaty, since the final exchange of ratifications of the treaty so amended is sufficient evidence of mutual consent.

Reservations and interpretative resolutions are likewise by no means infrequent. Thus, in advising and consenting to the ratification of the General Act of the Algeciras Conference, the Senate took occasion to assert that in so doing it had no intention to depart from the traditional policy of America to have nothing to do with "the settlement of questions which are entirely European in their scope." While in acceding to the Hague Convention of 1907, it felt called upon to declare that nothing contained in that Convention should be so construed "as to require the United States of America to depart from its traditional policy of not intruding upon, or interfering with, or entangling itself in the political questions or policy or internal administration of any foreign state; nor shall anything contained in said Convention be construed to imply a relinquishment by the United States of America of its traditional attitude towards purely American questions."

How often, however, is the logic of events wiser and more inexorable than all the reasoning of statesmen. The pages of history are full of time's revenges, and even Senatorial wisdom has not escaped them. For instance, to mention but a few of many examples, in the year 1844 the Senate, moved largely by political feeling growing out of the slavery question, defeated a treaty for the annexation of Texas, which had seceded from Mexico and declared itself an independent republic; but before two years had rolled around Texas became a State of the Union. In 1854 it rejected a like treaty for the annexation of Hawaii, but this, too, came to pass after the lapse of forty-four years. In 1865 it took similar action upon an agreement to purchase from Denmark the Virgin Islands for seven million five hundred thousand dollars; but the only result was to delay their acquisition for more than half a century and treble the price to be paid. In 1888 a treaty to settle the century-old dispute with Canada over the Atlantic fsheries failed of approval, but wise counsels prevailed twenty years later and the matter is now at rest.

Be the action of the Senate what it may, it must not be imagined that any discourtesy is implied toward the government with which the treaty is negotiated. As Secretary Fish put it in communicating with Great Britain when the treaty of dealing with the Alabama claims had been rejected:

> The United States can enter into no treaty without the advice and consent of the Senate; and that advice and consent to be intelligent must be discriminating; their refusal can be subject to no complaint, and can give no occasion for dissatisfaction or criticism.

Ratification by the President

If the treaty has survived its ordeal in the Senate there remain the final steps of ratification by the President, the exchange of ratifications with the contracting power, and the President's proclamation declaring it the law of the land. Here there returns to the President all the freedom which he originally enjoyed, He could have declined in the first instance to negotiate; he could have elected not to lay the negotiated treaty before the Senate; he could at any time before the final vote have withdrawn it from their further consideration; and now he may decide to proceed no further upon the advice and consent which the Senate has expressed. This is true as well when the action of the Senate is one of unanimous approval, as when it is one of grudging consent or mutilating amendment.[15] In either case he may lock the treaty in his desk or consign it to cold oblivion in the public archives.

The roster of such diplomatic casualties is by no means short. It displays the constant jealousy with which the executive and the Senate have guarded

12. II, Thayer's *Life of Hay*, 170.

13. Foster's *Practice of Diplomacy*. 276.

14. *Crandall on Treaties*. sec. 52.

15. Crandall on Treaties, par. 53.

their respective powers. There was tremendous mortality, for instance, when the Senate and President Roosevelt locked horns over the arbitration treaties negotiated by Secretary Hay with a number of nations. These provided for the reference to The Hague Court of all difficulties of a legal nature as well as those relating to the interpretation of treaties, which could not be settled by diplomacy, and which did not affect vital interests, independence or honor. The reference in each case presumably by the direction of the President. This was to be made by special protocol or agreement, the Senate amended so as to keep the matter in its own hands. President Roosevelt was so deeply incensed that he refused to go on with the treaties. We hear from Hay again after this experience with the remark that:

> A treaty entering the Senate is like a bull going into the arena: no one can say just how or when the final blow will fall—but one thing is certain, it will never leave the arena alive.[16]

The Constitution Supreme

I have spoken of the untrammelled discretion of the President and the Senate, but the phrase is really a misnomer. In the words used by Herodotus to describe the freemen of Greece, "though free, they are not absolutely free, for they have a master over them, the law." Like all other officers of the government they dare not exceed the authority which has been granted to them, and a treaty no less than a statute must conform to the Constitution and yield to its superior force. No treaty, by way of illustration, would have binding force which violated the Constitutional prohibition against the establishment of religion or the restriction of its free exercise, which abridged the right of the people peaceably to assemble and to petition for a redress of grievances, which sought to re-establish chattel slavery, or which disturbed the Constitutional distribution of power.

In matters requiring the appropriation of money or affecting customs dues and tariffs, the consent of the House of Representative must also be obtained before the treaty can be executed for like the House of Commons, it holds the purse, with the right to unite in all appropriations and to initiate all legislation for raising the revenues, and it is zealous in the defense of its prerogatives.

Whether the Federal government can agree to the cession of territory without the consent of the State of which it forms a part, is a question that has caused no little academic discussion. When the northeastern boundary between the State of Maine and Canada came to be settled the precaution was taken to have the State represented in the negotiations by commissioners and to secure the consent of its Legislature. But if the time should come—which, in the pious language of the old treaties, "is not to be expected and may God forbid" — when the territory of the United States is successfully invaded, there will be a pretty controversy as to the right of the Federal government to ransom the rest of the Union by ceding all or any part of the invaded portion.

Of more practical consequence is the query whether by the use of the treaty-making power the Federal government can deal with any of those matters left by the Constitution to the control of the States; matters of public morals, public health, the hours of labor, or as in the case of our most recent treaty with Great Britain, the protection of the wild fowl that come and go across the Canadian border. Here there is a fierce battle among the pundits. You will think it strange that after the Constitution of the United States has been in force for 140 years such questions should still be open. I can only reply that there are many more equally unsettled, and as to all of them we wait for a deliverance in the fullness of time the Supreme Court as the final arbiter and interpreter.

16. II, Thayer's Life of Hay, 393.

Conclusion

Such in meagre outline is the treaty-making power of the United States, and the machinery by which it operates. An unfriendly critic might denounce it as complicated and cumbersome, ill-adapted to the complex demands of international intercourse, slow in action and uncertain in out-come. The requirement of a two-thirds rather than a majority vote in the Senate he might criticise not unjustly as a dubious excess of caution. He might point his moral and adorn his tale with many instances of sharp and frequently bitter discord between Presidents and Senators. Of this audience, however, I ask only that if you think it like Rob Roy MacGregor, "ower bad for blessing," you pronounce it also "ower good for banning." For, believe me, the American people are like for many years to accomplish through this means their compacts with mankind. The checks and balances by which it is surrounded, the free and full debate which it allows, are in their eyes virtues rather than defects. They rejoice in the fact that all engagements which affect their destinies must be spread upon the public records, and that there is not, and there can never be, a secret treaty binding them either in law or in morals. Looking back upon a diplomatic history which is not without its chapters of success, they feel that on the whole the scheme the fathers builded has served the children well. With a conservatism in matters of government as great perhaps as that of any people in the world, they will suffer much inconvenience and run the risk of occasional misunderstanding before they make a change.—*From the Journal, American Bar Association.*

A Modern Orphanage in the Ancient Western Hills

AN orphanage equipped with electric light and running water and other modern conveniences, of which Mr. Hsiung Hsi-ling, at present president of the Chihli River Commission, has been the principal promoter and is now president, has been established in the Western Hills in the neighborhood of Peking. Its official name is "Philanthropic Institution for Children," and the present enrollment is 640 although its capacity can accomodate 1,000. The orphanage is located in that part of the hills which formerly was the Imperial Hunting Palace, and upon which a model town is being built under Mr. Hsiung's auspices, beinning with a foreign-fashioned hotel, a restaurant serving Western food, and a few houses to let to those who go thither to spend the summer vacation. A visit to the Hunting Palace will show what a prominent Chinese, when given freedom of action, can do for a community. In the following article which he prepared on the occasion of the formal opening of the orphanage on October 3, he gives interesting details concerning the origin of the institution, its present status and its future activities, as well as about the organization for the administration of Ching Yi Yuan, a future model town in China:

"The orphanage is the foster child of the memorable flood of the year 1917 which destroyed life and property in the metropolitan districts and their vicinity. When the flood was running its course

instances of refugees discarding their children were numerous and measures were taken to save those young lives from an unknown fate. In consequence the Directorate General of Flood Relief and Conservancy started two orphanages, one for boys and another for girls. Mr. Ying was entrusted with the duties of directing that work. About one thousand boys and girls were received and maintained by the the two orphanages during the flood. When it was over the majority of the children in the two institutions were taken back to their homes by their parents. For those two hundred children unclaimed, the Directorate General of Flood Relief and Conservancy had to provide a permanent home and to be responsible for their bringing up. It was difficult to secure a suitable place in the city of Peking for the erection of a permanent institution. Through the efforts of Hon. Hsu Shih Chang, President of the Republic, the Department of Household Affairs of the Ching House donated the old site of a palace known as Ching Yi Yuan. With this munificent gift plans were completed to build an institution sufficient to receive one thousand children.

The site upon which this institution stands today was formerly occupied by the hunting palace of the China regime. When the First Revolution broke out, the keepers of the palace taking advantage of the situation hewed down the trees and stole them. During an outing to this spot Messrs. Ma Hsiang-pe and Ying Lien-chi witnessed the deplorable state of affairs and plans were laid forthwith to preserve this historical place from further vandalism. They decided to make use of the grounds to start a girl school for the inhabitants in and around the Western Hills who were too poor to think of the education of their children. A memorial headed by Princess Karasin was submitted to Empress Lung Yu asking permission to use the palace for the purpose in view. I was then resident general of Jehol and I had the privilege of contributing some funds toward repairing the buildings of the palace. In due course the girl school now known as the Ching Yi Girl School was started. Several hundred pupils have completed their proscribed studies during the nine years of the school's career.

In order to assist the flood refugees in 1917 a road was built from Peking to the Western Hills with refuges labour at the initiation of the then Governor of the Metropolitan Districts. A sum of $60,000 was allotted to this work by the Directorate General of Flood Relief and Conservancy. This road facilitated communication so much that it materially helped not a little the hard lot of the poor people. As an instance of the improved condition of the people after the construction of this road, poaching in the fruit orchards of the palace grounds which was extensively practised has now been entirely discontinued.

The administration of Ching Yi Yuan is in the hands of two governing boards, namely, the Board of Directors of Ching Yi Yuan and the Board of Directors of the Western Hill Orphanage. The Board of Directors of Ching Yi Yuan controls the real estate and matters relating to its self-government. The rents and profits derived from the estate are devoted to maintaining the girl school, the making and up-keep of roads, the care of trees and the employment of police. The Board of Directors of the Orphanage controls the finance, supervises its expenditure, advises on educational matters and provides a set of regulations. The President of the Orphanage is elected from among the Board whose chief responsibility is to deal in matters externally, while the superintendent of the Orphanage is an employed member of the staff, immediately under the President who takes the sole control of the administration of the institution and the employment of its staff.

The finance of the Orphanage may be classified into two kinds, namely, the initial expenses and the running expenses. The former were given by the government secured through the Directorate General of Flood Relief and Conservancy from the balance of a fund obtained from the sale of cheap food stuff to the flood refugees. This money was devoted to the erection of the Orphanage buildings and supplying furnishings and equipments. The annual running expenses were derived from the money left over from the Flood Relief Fund. This consisted of the $200,000 of the third and fourth year National bonds and $100,000 of Bank of China Peking notes donated by Mr. Chang Ching Fang and contributions from other foreigners and Chinese originally intended for the flood relief but sent in too late for the purpose. These form the endowment fund of the institution.

Through the careful work of Mr. Liu Pei Keng, the amount in Bank of China notes is invested in the seventh year bonds and the interest and capital derived from the drawn bonds are re-invested in the first year bonds, cotton and bank stocks. The profit thus realized from these investments during the three years amount to over $120,000 silver. Some money is also invested in the building of eighteen summer bungalows, the rents derived therefrom are also used as a part of the orphanage fund. All these give an annual income of over $60,000 and with the dividends from the shares of the Industrial Bank of China donated by the Ministry of Finance which amount approximately to $30,000 per year the total annual income of the Orphanage aggregates to over $90,000 silver. This enables the institution to maintain annually more than one thousand orphans and poor children.

The present enrollment of the orphanage is 640, of which number 220 are children from the families of the Eight Banner Imperial Clansman and 420 from Chihli and other districts. The vacancies still open can be filled by children of the famine districts of the five Northern provinces.

The curriculum of the Orphanage consists of twelve items, namely, Chinese studies, arithmetic, English, science, agriculture, manual work, drawing, music, history, geography, Chinese entymology, physical drill, handicraft. The aim is to develop the natural talents of the child and to educate him or her so that he or she may be self-dependent ecomomically and morally when he or she grows up. The equipments of the Orphanage are far above the ordinary. From this it must not be inferred that the pupils are not made to live a simple and industrious life. Cooking, washing and general cleaning and other manual work are done by the pupils themselves. Such work will school them to hardship and prevent laziness.

At present manual work consists of weaving, tailoring, shoe making and sock making. Things of daily personal use are made by the pupils themselves. It is intended in future to secure native products to furnish materials for teaching them to turn them into manufactured articles. A more completely equipped smith shop, carpenter shop and machine shop will be provided for their training in the most modern handicraftsmanship. It it also intended to institute agriculture and commerce courses for which agricultural experimental stations will be established on the cultivable land on the hills and stores will be opened outside the orphanage for the pupils to practise salesmanship. Our electric and telephone plants likewise afford practical training to the pupils.

Sanitary matters of the institution are taken care of by the Hsiang San Hospital under the auspices of the Chinese Women's Red Cross Society. Both the boys and girls have opportunity to study medicine or to be trained as nurses.

The future welfare of the pupils is planned far ahead. As the majority of the directors of the institution are capitalists of banks and industrial enterprises, employment will be provided by them to those who finish their education in the institution. It has invested in the Hwai Nan Salt Development Company and is planning to acquire in the cotton producing regions of Manchuria, Charhar and Tientsin virgin lands for colonization by the pupils. For those who show special talents provisions have been made to give them higher education in foreign countries, for the purpose of which a certain amount of French War Bonds has been purchased and the interest derived therefrom yearly is deposited with the Banque L'Indo Chine. It has been planned to purchase bonds of other nationalities. The fund derived from these sources will be devoted to their education abroad.

The institution is as yet in its infancy. There is still room for improvement. The pupils are from families of different social grades. Some are from once patrician families, some are the descendants of military men, others the children of farmers, artisans and traders who have lost their occupation and become poor. In conducting the orphanage, therefore, the staff experiences difficulties peculiar only in China, in that the social standards among people, though now inpecunious, are clung to as something sacred. So to put the children from the different families to live under one roof and be taught under one system the difficulties are at once apparent. Many prefer to leave the institution after a few days of simple and frugal fare and the hardship of manual labor. These difficulties will disappear in time under the levelling influence of education.

When the children are received into the institution the condition of their health gives much concern. A large percentage of them are afflicted with eye and skin diseases. No discrimination, however, is made. The institution ministers to their needs without delay and attends in a general way to the work of transformation as is consonant with the philanthropic aim for which the institution is founded.

In the city schools it is well nigh impossible to sever the pupil completely from certain evil influence of the family which is antagonostic to his development. Here in this institution, the teacher exerts the dual influence of a parental guide and intellectual sponsor. This wholesome influence is bound to bear excellent results. I can, therefore, confidently hope and say that the teachers will work, in fact they have been working, with indefatigable spirit and energy for the good of this institution. H. K. T.

The Present Situation in Korea

Incidents attending the American Congressional tour show spirit of Korean people remains unbroken.

BY UPTON CLOSE

THE question I repeatedly put to natives and foreigners a few days ago in Seoul was: "Have the Korean People been won over to Japanese assimilation by the alleged reforms of the Saito administration; or if they have not been won over, has their spirit been broken by the ruthlessly suppressive methods used by their governors? I was assured on every hand that the Koreans and particularly those of the educated classes, have absolutely no faith in the promised reforms of the new civil administration. They are convinced from the experiences of their daily life that the difference between the former military administration and the present so called civil administration is no deeper than the difference between the same man in a kahki soldier's uniform and a white policeman's uniform.

That the Koreans have ground for their suspicion of the widely advertised Korean reforms was evidenced in the repressive measures used by the Japanese military authorities on the occasion of the American Congressmen's visit, However, the impartial investigator cannot doubt the sincerity of the Japanese colonial Govrnment's desire to placate the Koreans. The Japanese War office realizes that a dependency of twenty million disgruntled people is the most threatening menace to Japan's national defence—or offence. The difficulty is that the Japanese are determined to themselves prescribe the concilliatory measures which in their opinion should placate the Koreans and to compel their subject peoples to be satisfied with these reforms—if necesary by military force. It is the old idea of the benevolent despot trying to force his self-conceived measures for the benefit of the people upon a race which has already progressed in the conception of freedom to the point where like John Hancock they "will not have liberty if they must take it as a gift." The Japanese ruling class is too devoid of a sense of humor to realize that on the basis of human nature alone such methods must fail.

The present government of Korea, like the government of Japan proper, is practically a dual government. The Governor-General representing the foreign office bears the name, while the commander of the military, whether it be under the name of police, gendarmerie or soldiery, representing the war office, wields the power. An incident related to me in Seoul will illustrate. Two American teachers of a mission school had been denied a permit to teach history on the customary ground that Americans, being the product politically of democratic conception, would, in teaching history, unconsciously or otherwise embody in their instruction ideals detrimental to the prestige of the Imperial Throne of Nippon. The two professors, who are well known in Korea and who have avoided the police blacklist in connection with political troubles, in the course of an interview remarked to the Governor-General, Baron Saito, concerning the disability which has been placed upon them as instructors. The Governor-General stated that in his opinion such police regulations went further than necessary and promised that he would take measures to relieve them of this disability. Sometime later, after a petition on the part of the professors to teach history had been again refused, the two men had a second interview with the Governor-General. Admiral Saito, bringing the subject up, apologized to the professors that he had been unable to get past the police in his efforts to have the police restrictions removed, and virtually confessed that in many things his will is overridden by the military authorities. In regard to this point there is reason to believe that the measures adopted by the gendarmery upon the occasion of the visit of the Congressional party were far more stringent than was desired by the aged Governor-General.

Militarists are always stupid but perhaps nowhere in the world have they been so consistently stupid as in Korea. The Japanese race in general

are believed by psyohologists to be deficient in the valuable sense of discriminative humour. Their lack in this respect is made up by their remarkable aptness for co-operation and willingness to follow leadership. Of all the stupid actions which the Japanese militarists have carried out in Korea, their policy toward the recent American Congressional visit is the same. Beginning while the Congressmen were still in Peking; the Korean Government set in motion a propaganda designed to discourage the American party from travelling by way of Korea. Whether or not the Korean Government's motives in view of the cholera situation and the alleged fear of nihilist action by Korean fanatics were sincere we are not taking up here. Looking at the matter from a purely practical standpoint the Korean Government would have laid itself open to suspicion in a much lesser degree if it had either forbidden the Congressmen outright to go through Korea or had kept absolutely quiet regarding the matter. The Japanese Legation in Peking saw the point and was with considerable reluctance made the transmittor of a meassage which was certain to be construed in an unfavourable light by the American guests, their Chinese hosts and the Korean patriot organizations which were in constant touch with the Congressmen all the way from Philadelphia to Mukden.

There was no possibility of the American legislators hearing anything more unfavorable to Japanese rule while in Korea than they already had heard outside of Korea. Before they reached Mukden, they had been loaded with literature describing the Japanese atrocities in the country they were to visit. If the Korean Gendarmery had allowed the Koreans to meet the American Party with a little shouting and waving of flags and had allowed the Seoul organizations to meet the Congressmen at the Station, carry out their planned receiption and make a speech or two regarding the Korean desire for independence, the Congressmen would have left the country with the stories of Japanese oppression and atrocity greatly discredited in their minds and feeling that as much independence of action and freedom of speech was enjoyed by the Koreans as is enjoyed by the Filipinos. Instead of taking advantage of this opportunity, Japanese militarists in their stupidity lost no opportunity of impressing upon the Congressmen the conviction that the things which they had had heard regarding the Japanese rule in Korea were true. As their special train passed through the beautiful valleys between the Yalu River and Seoul, which portion of the trip was made by day light, crowds of Koreans headed off by Japanese Gendarmes, stood mutely in evident repression which could not have failed to arouse the pity of the persons in the luxurious coaches. At one village only did the children run out waving the Korean flag and shouting "Mansei." Now, "Mansei" is the Kore an pronunciation of the Chinese characters for "thousand years," the Japanese pronunciation of the same being "Banzai." The Japanese pronounciation is a favourite patriotic cheer throughout the Japanese Empire, but to shout with the pronunciation of Korea, where, by the way, the Japanese got the phrase, is a penal offence. With such small shibboleths do the Japanese authorities irritate to the point of desperation the people whom they claim to desire to placate! The members of the party later learned that the village where the children welcomed them is a Christian village which has been noted for patriotic spirit. It is reported that the village was severely punished for this misdemeanor. The incidents which occured during the party's stay in Seoul have been given wide publicity, but there are some phases not before published which show the psychology of the Japanese military rulers.

The party arrived in Seoul on the evening of the September 24. At 5 a. m. of the 23rd., police officers locked up principals of mission schools and served notice that they had reason to suspect that the students of these schools were planning an unlawful demonstration. The police demanded that the mission principals be responsible for order among their students. This demand was the equal of other police actions in stupidity, the students of the schools involved being on their summer vacation and scattered to the four corners of Korea, physically beyond any possible control from their instructors. At 1.30 p. m. on the 24th., the mission principals received letters repeating the warning.

Korean commercial bodies had planned a reception for the Congressmen upon which they had spent a large amount of money. The police granted permission for the holding of this function. Probably considering that it would be the strategic thing, the police allowed the Koreans to go ahead with their plans, waiting until the last moment to retract their permission and forbid the holding of the affair. Readers are already familar with the stories of how the Japanese cleared the station and the streets of welcoming Koreans, and how, when Congressman Hersman of California, who stated that he had come to Korea to see Koreans as well as Japanese, stepped into the cancelled gathering at the Y. M. C. A., the Japanese police exhibited their most despicable methods before the eyes of the party of visiting legislators.

These incidents have done more to expose to officials of the American government and to the world at large the true state of affairs in Korea than Japanese propaganda can cover up in a lifetime. One who is aware of these occurances only need not ask whether Japanese administration in Korea is succeeding in placating the people. If the police of the "reformed" administration are always as brutal as upon these occasions, they are little better than the gendarmerie. The new administration has had time to produce results, but if it can produce no results less stupid than these it is assuredly hopeless as the savior of the situation.

Regarding the second query of the opening paragraph as to whether or not the Korean spirit has been broken, the way in which leading merchants of Seoul closed up their shops on August 24-25 fearing not the penalties and persecution of the police court, and accounting as nothing the pecuniary loss of the cessation of business and inevitable forcible opening by the police, should be convincing evidence that the patriotic spirit in Korea remains uncrushed. The shuttered and barred shops along the main thoroughfares in Seoul were as effective in announcing this fact to the American curio hunters as flaming posters. The Korean people do not fear the Japanese. Having a sense of humor, they despise their military oppressors with that mingled scorn and pity which a person with a sense of delicacy feels toward a cruel boor.

The case of the thirty signers of the Declaration of Independence who publicly invited the police to come and arrest them, illustrates how the Koreans, through more agile mentality, may at times even fry their oppressors in their own griddles. The trial of these men was conducted in the High Court at Seoul and the Korean advocate of the defendents allowed the trial to drag on there almost to a climax. Then suddenly the lawyer for the defence protested to the Judge that according to Japanese judiciary law the case was being tried in the wrong court. The Judge

was forced to concede the point. An uproar ensued in the course of which the Korean won his point and several Japanese judges were dismissed in disgrace. The prisoners are now being tried before the lower court.

Japan is in a hard position in Korea. The careful observer must feel that so thoroughly have the Japanese lost the respect of the Korean people that assimilation is impossible and administration can be maintained only by military power, which is always ephemeral. From now on we may expect to see, in recognition of the attitude of the Koreans by the Japanese government, a gradual return to the organization of military control existing before the introduction of the "administrative reforms." The comment of the Japanese press that the Koreans are unappreciative and there unworthy of generosity is an indication. More than an indication is the very recent announcement that the government is reintroducing a gendarmerie "for border and railway protection and special exigencies;" it being found that the police who replaced the gendarmerie at the beginning of Baron Saito's reformed administration have proved incapable of holding down Korean unruliness, although this police body consists largely of soldiers in white uniforms. The Koreans will not be greatly affected by the manifestation of the "form" again as well as the "spirit"—except in regard to one matter which they may fight to the last—the wearing of uniform and sidearms by primary school teachers.

I asked several active Koreans what the policy of the patriotic movement now is. They stated that the demonstrations of the past year were conducted for the purpose of convincing Japan and the world at large of the universal Korean determination for independence. This object they feel has now been attained and they believe it worth the cost in suffering. Their policy from now on is to strengthen as far as possible their organization and await in quietness the opportunity which, with their great southern neighbors, China and Russia, hostile to Japan, they feel is bound to a rise.

Forty-Six Points Regarding China

A pamphlet containing the following information regarding China and China-American trade was distributed by Mr. Julean Arnold, American Commercial Attache, while on his recent visit to the United States. Twenty thousand copies were distributed chiefly to audiences which Mr. Arnold addressed.

1—In *Area*, China is greater than Europe or the United States. In latitude Harbin corresponds with Minneapolis, Peking with Philadelphia, Shanghai with Mobile, and Canton with Havana.

2—*Population*, China is almost equivalent to the aggregate of Europe, nearly four times that of the United States, and seven times that of South America, while Asia possesses 51 per cent of the world's population. Six-sevenths of China's population lives in one-third its area. Vast regions rich in natural resources await railways to open them to settlement and development.

3—*Railways* are China's greatest need, having only 6,500 miles compared with our 265,000 miles. Most of China's big problems will be solved with the development of needed railways under conditions favorable to the Chinese people.

4—*Agriculture* claims 80 per cent of the population. No modern implements used. Farms average about one acre. In South, principal crops, rice, sweet potatoes, sugar, cotton, mulberry and vegetables; in North, wheat, sorghum, millet, corn, cotton, sweet potatoes and vegetables. Tens of millions of people in China eat no rice.

5—In *Natural Resources*, China rich in coal and basic metals, in vegetable and animal products and in a huge industrious, homogeneous population.

6—*Chinese* bear much ressmblance to *Americans*. No caste, people democratic, peaceful, industrious, possess a good sense of humor and a strong sense of justice, are reasonable, and inherit a culture, the resultant of 4,000 years of civilization.

7—*Conservatism* of the Chinese of the past due to natural secluded position, to educational system recognizing only teachings of ancient sages and taking no cognizance of modern science.

8—*New China* looks to future and away from past, is instituting modern schools, and a native press, is developing an effective national spirit. It asks only the constructive sympathy of the outside world.

9—Modern *Industrialism* is rapidly developing in China. People now receptive to all that West has to teach. They have no old machinery or plants to scrap, virtually beginning today where West leaves off.

10—*Cities* of China under the new order will have to be rebuilt to meet demands of the new industrial era. Already millions of dollars being spent on modern business and residence buildings in trade centers of China.

11—South China (population about 200,000,000) is without *Roads* or wheeled vehicles, except wheelbarrows. People now recognize need of tens of thousands of miles of good roads.

12—*Purchasing Power* of natives generally low, although there are many wealthy families and much money, which, with proper encouragement, would go a long way toward financing the needs of the New China. Chinese capital is now earning 25 percent to 50 percent dividends in modern cotton mills in Shanghai, Hankow and Tientsin.

13—*Increased Purchasing Power* of masses will result with devlopment of railways, mines, modern industrialism and modern commerce, increasing people's wants and raising their standards of living.

14—China's *National Debt* is about one billion gold, an inconsiderable amount in light of wealth of natural resources and population. It has never repudiated any of its foreign obligations and foreign interests have always been indemnified for losses due to riots and similar civil disturbances.

15—Chinese *Securities* must find a market in America. Trade follows the loan. We should make loans to those who can give us the trade, and none offer greater potentialities than the Chinese.

16—*International Co-Operation* in financing China should be encouraged, as there is room for all and all will profit most through co-operation.

17—China suffers from *No Inflated Currency* or credits. Chinese silver dollar today exchanges for about $0.70 United States gold, whereas four years ago it exchanged for about $0.43.

18—China's *Foreign Trade* has increased five-fold in 30 years. When equivalent to the per capita foreign trade of Australasia it will equal $65,000,000,000 as compared with its present $1,600,000,000.

19—Principal *Exports* are silk, beans, tea, vegetable oils, hides and skins, wool, tallow, minerals, eggs and egg products, wood oil, short staple cotton, and bristles. America is its principal buyer.

20—Principal *Imports* are cotton goods and cotton, metals and metal products, including defectives and scrap, machinery, electrical equipment, railway

materials, kerosene, lumber, sugar, marine products, dyes, tobacco, matches, leather, hardware and building materials, motors, etc. The United States ranks second in China's imports.

21—China's *Import Tariff* is a uniform 5 per cent with 2½ per cent added for admission into non-treaty ports. Shanghai market values form basis of assessment of duties. Tariff cannot be altered except by international agreement.

22—About 8,500 *Americans* resident in China, about one—half in missionary population spending about $12,000,000 annually in educational, medical and evangelistic work helpful to American interests generally. About 2,000 Americans with 250 American firms, resident at Shanghai, through which 60 percent of China's foreign trade passes.

23—Americans in China are under the jurisdiction and protection of *American Courts*. More American business organizations are needed in China.

24—The *American Chamber of Commerce of China* at Shanghai with a paid Secretary aims to aid Americans seeking to extend business relations with China.

25—The American *Post Office* at Shanghai receives and sends mail, parcels, and money orders at United States domestic rates.

26—Four American *Banks* including a Chinese American bank have organizations in China.

27—The one *Cable* between the United States and China is inadequate to our needs. Wireless facilities for commercial and news services are urgently needed.

28—*Ships* are the water extensions of railways; American trade with China during the past five years suffered badly because of inadequate shipping facilities under the *American Flag*. Fast passenger and freight services under the American flag must be maintained to meet our trade needs in China.

29—Pictorial *Trade Marks* are preferable. Necessary to safeguard them against imitation by cheap inferior products. Registration in both China and Japan advisable.

30—*Catalogues* in English useful to a limited degree. The man behind the catalogue sells the goods.

31—*Advertising* necessary to introduction of goods. Preferably in Chinese. Money should be allotted but should not go toward support of publications unfriendly to American interests.

32—*Quality* in goods understood by Chinese. American goods generally reputed of high quality.

33—*Chinese Business Man* a heavy buyer, respects his obligations, is guided by dictates of equity rather than law, is not accustomed to accompany order with letter of credit, does his business over the tea cup rather than over the telephone and is particularly friendly toward Americans and things American.

34—The *Chinese Language* is becoming increasingly important to the foreign business man in China. Three fifths of the people of China speak the Mandarian dialect.

35—*Chinese Students* should be encouraged to take practical courses in engineering and commerce in the United States. American manufacturers should equip Chinese technical and engineering schools with machinery, etc., to help to popularize American standards and materials.

36—*Chinese* and *American Merchants* should be encouraged to visit each the country of the other.

37—Americans *Visiting China* should see Canton, Shanghai, Hankow, Peking, and Tientsin and meet prominent Chinese business men in these centers.

38—*Federal Incorporation* with home tax exemption essential to the success of American firms in China in their competition against firms of other nationalities enjoying similar advantages. Combination under the Webb-Pomerene Bill advantageous to American manufacturers in China.

39—Americans hold a great *Asset* in the *Good* will of the *Chinese People*, hence can advantageously organize joint Chinese-American enterprises.

40—In forming *China Connections*, American manufacturers should limit agency rights to territory effectively covered by agent. For trade purposes China divided into North, Central and South China with centers at Tientsin, Hankow, Shanghai and Canton respectively. Manufacturers should send their own representatives for periodic visits to country to inspect work of agents and if possible have own expert always in field.

41—*Agents of American Manufacturers* should not be permitted to exact prices netting excessive profits, as future trade imperiled thereby.

42—*Personnel of American Firms* in China important. Men of good character, education and training should be selected and encouraged to remain in China and to study Chinese language.

43—American *Merchandising* and *Salesmanship* methods will be signally successful in China if adjusted to meet conditions there.

44—*China* is a *Market* of *big Potentialities*, the new world of opportunity in trade, hence it pays to get in on the ground floor and build on a solid foundation, liberally supporting an organization doing the pioneering work.

45—Geographically *America* is more of an *Asiatic* than European *Power*. Alaska is within fifty miles of Siberia and Manila, an American insular possession, is closer to China than is Tokyo. Manila can advantageously be made an American distributing center for our Far Eastern Trade.

46—*Valuable Government Assistance* to those interested in trade in China can be secured through the Bureau of Foreign and Domestic Commerce, Washington, or its district offices. It has recently published a *Commercial Handbook on China*.

Operations of Chinese Government Railways for 1919

BY HOLLINGTON K. TONG

TWO new lines will be mentioned in the railway report to be submitted to the Minister of Communications for the year 1919, which are being compiled under the direction of the Standing Committee on the Unification of Railway Accounts and Statistics. The reports will be embodied in the official annual of the Ministry called "Statistics of the Government Railways" which would have been issued long ago had it not been for the recent disturbance preventing various railways from sending in the results of their operations for the last year.

The new lines are a branch of the South Manchurian Railway known as the Ssu-tsen and a section of the Canton-Hankow Railway known as the Hupeh-Hunan. Their operations for 1919 were, however, not of sufficient importance. The Hupeh-Hunan section adds 422 kilometres of line to the system of the Chinese government railways and more than $50,000,000 of capital investment and capital obligations. The number of kilometres of railways operated last year was 5,981 as compared with 5,475, in 1918. The number of passengers carried was 25,475,-

379; the number of passengers per kilometre carried, 2,320,798,976; the number of tons of goods carried, 18,551,684; and the number of tons kilometres carried, 3,425,807,677.

The actual commercial revenue of the different government railways for 1919 was $75,535,966 as compared with $69,820,797.10 in 1918, representing an increase of $5,715,169, or about 8 percent. The gain in passenger revenue was a little over 10 percent and that in goods revenue 4 percent. The nominal revenue, however, was much more than this. It was $83,047, 390 for 1919 as compared with $77,652,152.-95 in the preceding year, the increase being $5,395,152.95. The use of Peking depreciated notes of the Bank of China and the Bank of Communications was one reason for this difference.

The depreciated notes were circulated in 1919 at a value averaging 50 percent of par while they were accepted at face value upon several lines. In other words, whatever amount of depreciated notes received by the railways was treated at their face value in the books, and upon their conversion into silver dollars, it was reduced by half. But the suffering from this direction was much less in 1919 than in 1918. The Peking Mukden Railway began to accept silver dollars instead of notes for payment of fares in October 1918, and the Tientsin Pukow Railway first accepted silver currency on April 25, 1919. Restrictions upon the use of depreciated notes on the Peking-Hankow and the Peking-suiyuan Railways were also adopted and enforced during the year.

Another reason for the difference between the nominal and the actual railway revenue was "book-keeping items" for which no cash was paid. Take military transportation as an example. This item is accepted by the Ministry of Communications as "remittances to government," and finally transferred to the account of the Ministry of War. It amounted to $4,720,000 in 1919 as compared with $5,790,000 in 1918. Charges against the Department of Posts totalling $210,000 for services rendered by the railways last year constituted still another reason for the difference.

The fourth reason is the carriage of materials for other railways, on which the credit is employed. This item last year amounted to $538,000. Fifthly, the revenue for the carriage of service stores and others are off-set by similar debits to operating expenses or capital expenditure on the line. No cash passes and the charge is assessed merely to hold various departments responsible for the use they make of railways' transportation service. The item of the revenue from service stores amounted to $2,040,000 in 1919. The actual revenue is the result after the subtraction of these bookkeeping items.

The net revenue for last year showed a slight decrease per kilometre of line. This decrease is due to the inclusion of the new lines and the decrease of traffic upon the Peking Mukden Railway chiefly. In spite of it, the revenue represents a return of 9.2 upon the cost of road and equipment. Two lines unable to meet operating expenses in 1919 were the Changchow Amoy and the Canton-Kowloon, both of which are short lines without connections.

While the revenue increased by 8 percent, operating expenses increased by 12 percent, or $4,117,925 as compared with an increase of the operating revenue of $5,395,237. The percentage of operating expenses to operating revenue in 1919, according to the Standing Committee, which has worked out the proportion, was 46.3, and it was a considerable increase over 1918, when the percentage was 44.2. A substantial increase in expenses accounted for the high percentage of operating expenses to operating revenue.

Income debits for 1919, namely, interest, taxes, rents payable, exchange losses, lose on depreciated currency, were $10,348,121. as compared with $11,-033,562 in 1918. There was a decrease, due to the more favorable rate of exchange with which to meet interest payments and to reduce the funded debt. At the end of 1919, the outstanding loans for railway constructions at the original rate of exchange amounted to $332,000,000. In that year, $6,774,597.07 was retired at a favorable exchange rate.

Income credits for 1919, namely, interest on current deposits, income from securities, rents receivable and gains from exchange, were $2,219,553. 42 as compared with $1,209,143.74 in 1918. There was an increase of $1,010,409.68, coming from exchange gains and interests on current deposits principally.

Two lines were unable to pay full income charges or income debits in 1919. They were the Shanghai Hangchow Ningpo and the Ssu Tsen. After meeting the deficits of these lines and the two other lines, the surplus last year was nearly $36,500,000, which is $3,000,000 in excess of the surplus for 1918. It is equivalent to a 24 percent return upon permanent government investment. "If the equity of the government represented by additions to property and repayments of the funded debt made out of surplus be included with permanent government investment", according to the Standing Committee, "the return upon the government's total investment

Condensed operating and income accounts 1919.

	Name of Line	Operating Revenue	Operating Expenses	Net operating Revenue	Income Debit	Income Credit	Net Income Debit	Credit or Debit Balance for year
1.	Peking Hankow	$26,313,680.61	$ 9,060,473.60	$17,253,207.01	$ 2,146,652.14	$ 397,898.54	$1,748,753.60	$15,504,453.41
2.	Peking Mukden	19,406,241.70	7,519,184.83	11,887,056.87	530,043.41	1,274,695.60	less 744,652.17	12,631,709.06
3.	Tientsin Pukow	14,101,982.95	6,819,050.67	7,282,932.28	3,918,346.05	107,472.96	3,810,873.09	3,472,059.19
4.	Shanghai Nanking	5,665,852.20	3,343,895.52	2,321,956.68	1,124,740.15	79,845.68	1,044,894.47	1,277,062.21
5.	Shanghai Hangchow Ningpo	2,598,050.30	2,353,640.13	244,410.17	434,669.82	52,231.29	382,438.59	less 138,028.36
6.	Peking Suiyuan	4,810,049.47	3,159,922.54	1,650,126.93	339,699.59	181,496.00	158,203.59	1,491,923.34
7.	Cheng Tai	3,377,325.41	1,441,644.37	1,935,681.04	380,093.63	51,262.20	328,831.43	1,606,849.61
8.	Tookow Chinghua	977,336.54	524,360.89	452,975.65	216,579.84	7,496.69	209,083.15	243,892.50
9.	Kaiping Honan	1,685,940.48	749,765.85	936,174 61	335,480 28	27,812.35	307,667.93	628,506.68
10.	Kirin Changchuan	1,895,650.85	1,309,288.07	586,362.78	279,994.53	20,973.35	259,021.18	327,341.60
11.	Chuchow Pinhsiang	697,993.76	667,701.37	30,292.39	8,762.43	3,258.47	5,503.96	24,788.43
12.	Canton Kowloon	983,021.64	1,056,830.20	less 73,808.56	388,115.46	7,452.32	380,663.14	454,471.70
13.	Changchow Amoy	27,091.41	60,746.69	,, 33,655.28	126,615.66	1,000.54	125,615.12	159,270.40
14.	Hupeh Hunan	198,484.54	169,595.18	28,889.36		Net Revenue, Acredit to construction accounts.		
15.	Ssu Tsen	308,688.40	204,440.71	104,247.69	118,328.35	6,657.43	111,670.92	less 7,423.23
				Acredit to construction accounts				
Chinese Government Railway	1919	83,047,390.24	38,440,540.62	44,606,849.62	10,348,121.34	2,219,553.42	8,128,567.92	36,449,392.34
	1918	77,652,152.95	34,322,615.12	43,329,537.82	11,033,562.00	1,209,143.74	9,824,418.26	33,505,119.57
Increase		5,395,237.29	4,117,925.50	1,277,311.79	685,440.66	1,010,409.68	1,695,850.34	2,944,272.77
Decrease								

is 16 percent for 1919." By total government investment is meant permanent government investment plus additions to property and the retirement of the funded debt through surplus.

At the end of 1919, the accumulated surplus of the Chinese government railways was $63,762,537.29. It means profits which have been allowed to remain on the lines during their entire existence. Last year's accumulated surplus is an increase over 1918 by $19, 223, 718.22, which shows that the Ministry has divided the profits with the railways slightly better than on a 50-50 basis. Of the accumulated surplus, $36,000,000 in round numbers consists of additions to property and $21.000,000 funded debt retired.

Out of the special fund, a part of the accumulated surplus, $930,000 for 1919 was set aside and put in fixed deposit for the replacement of the Yellow River Bridge. The amount estimated for the reconstruction of the bridge was $15,000,000. For four or five years a sum of nearly $1,000,000 has been set aside annually in order to accumulate a construction fund. There is a report in circulation to the effect that the Anfu members before their fall used a large portion of the accumulated bridge fund, and that what remains amounts to only $2,000,000 in depreciated notes.

The condensed operating and income accounts for 1919 are shown in the table on the opposite page.

Who's Who in China

Mr. Ouang Ki-tseng
New Minister to Mexico and Cuba

(王繼曾字述勤)

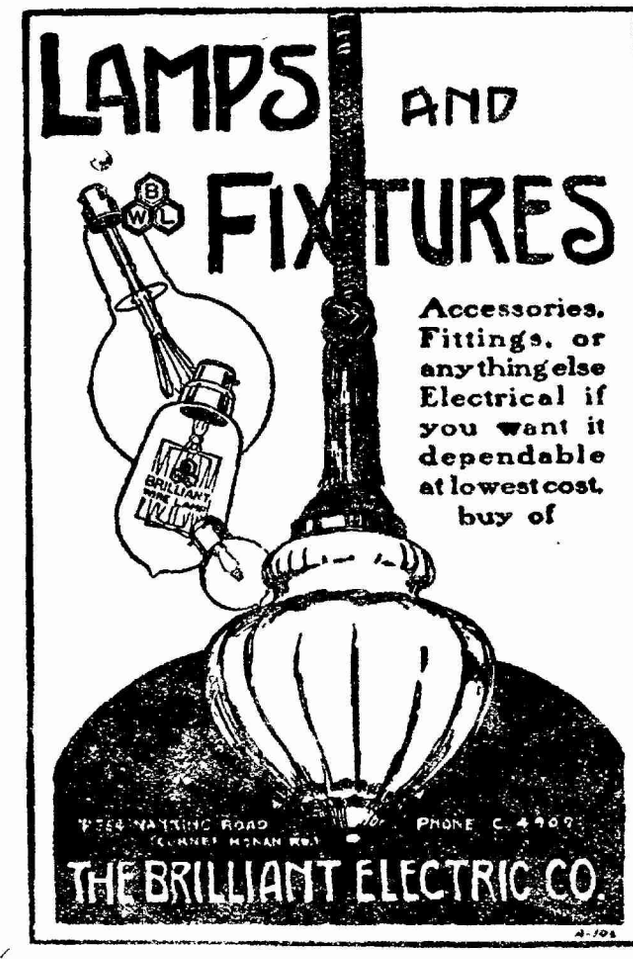
Mr. Ouang Ki-tseng, Chief of the Political Department of the Ministry of Foreign Affairs, was appointed Chinese Minister to Mexico and Cuba by a Presidential Mandate issued on September 11, 1920. He is to proceed to his post in a fortnights time.

Minister Ouang was born at Minhau in Fukien in 1880. He received his education both in China and abroad. The foreign languages in which he is well versed are English and French. For a lengthy period he has been in the Chinese diplomatic service. He has served in various capacities, first as junior secretary, and now as Minister to Mexico and Cuba.

His great grandfather, Ouang Ching-yun, was a member of the Hanlin Academy and had been Governor of the Provinces of Shansi and Shensi, Viceroy of Szechuen and of the Liangkuang Provinces, and President of the Board of Works. His name is recorded in Chinese history by the National Historiographers' Office. He wrote a book called "Shih Chu Yu Chi" in which the historical events of the Ching Dynasty from its establishment up to the reign of Tao Kuang were given in detail. It is a comprehensive work, and is held in high esteem.

Minister Ouang's uncle Ouang Jen-kan, the famous Optimus at the Palace Examinations of the Tingchu year during the reign of Kuang Shu, was for some time Prefect of Chekiang and of Soochow. He was earnest in his administration and kind to the people. Minister Ouang's father Ouang Jen-tung was a secretary of the Imperial Council and was afterwards transferred to Kiangsu as sub-prefect of Nantungchow. Later he was promoted as Granary Taotai of the Kiangning circuit. Mr. Ouang Jen-tung while acting as sub-prefect at Nantungchow did much for public good. The people were exceedingly grateful to him for his benevolent acts. In 1918 he died at Shanghai.

After his graduation from the Nanyang College at Shanghai, Mr. Ouang Ki-tseng accompanied Mr. Sun Pao-chi, then Chinese Minister to France, to Paris in the winter of 1902 to pursue higher studies and to serve as the same time as a legation student, and Assistant Commercial Attache. He stayed in France for seven years, and underwent a course of study in the Ecole des Hautes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Etudes Commerciales and the Ecole Libre des Sciences Politiques which institution of learning is famous for coaching up students for diplomatic and public services. During his stay in school he was a member of the Society of Public Speaking of the Ecole Libre des Sciences Politiques and received l'Aureat. Upon the completion of his studies he was awarded "Mention Tres Bien."

In 1906 he accompanied the Chinese High Commissioners to Europe for the study of constitutions in Italy, Switzerland, Germany, Austria, etc. In 1908 he was appointed representative of the Chinese government to the International Conference of Oriental Literature held at Copenhagen.

In 1909 he returned to China and was appointed Secretary to Chang Shih-tung, the celebrated Imperial Chancellor and statesman. Afterwards Liu Hsi-hsun, at that time Chinese Minister to France, recommended him to the position of Superintendent of Chinese Students in France.

On his second visit to France he remained for two years. In 1910 he was appointed representative of the Chinese government to the International High Educational Conference at Brussels. In 1911 he was appointed a member of the jury of the International Exposition at Turin in Italy.

Upon the establishment of the Republic he returned to China and served in the Ministry of Foreign Affairs for nine years. In 1914 he was appointed Director of the Political Department by the late President Yuan Shih-kai through the recommendation of Sun Pao-chi. He has remained at the post for seven years.

Madame Ouang Ki-tseng, a sister of Kong Pa King a well-known painter and connoisseur, is skilled in painting. She has studied in England and speaks both English and French.

The following decorations have been received by Minister Ouang:

The Crown Decoration of the Fifth Class from Italy
The Third Class Chiaho Decoration
The Third Class Wenhu Decoration
The Second Class Decoration from Russia
The Fourth Class Decoration of the Legion of Honor from France.
The Third Class Rising Sun Decoration from Japan
The Second Class Tashou Chiaho Decoration.
The Second Class Wenhu Decoration
The Crown Decoration of the Second Class from Italy

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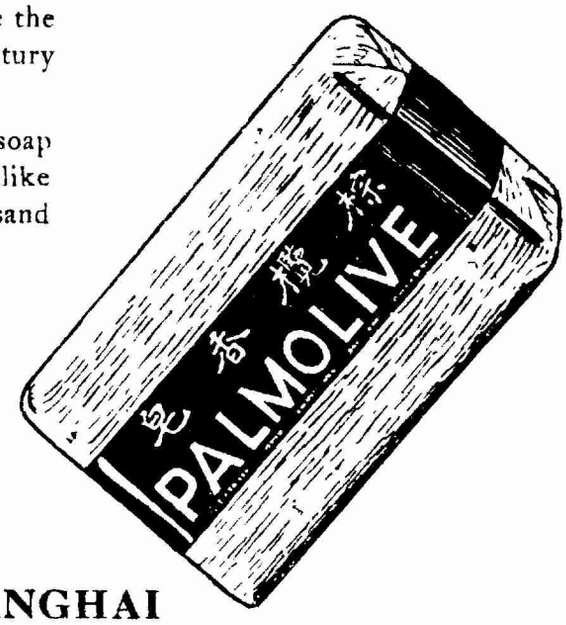

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Current Press Opinion on Far Eastern Affairs

America and Japan

From "The Japan Weekly Chronicle" (British)

Much is being written in Japanese newspapers of the relations between America and Japan, but not in one article of the many published is there a glimmering of the real cause of the suspicions that have arisen. The opposition to the entry of Japanese into America was originally economic, and this factor still has considerable sway. But, as Japanese themselves perceive, the controversy has undergone a change of late years. It is now, they assert not so much economic as racial. This is dimly perceived by the President of the State Labor Federation in California, who suggests that if the big interests were able to exploit Japanese labour there would be no trouble, save, we presume, among American labourers, but when the Japanese entered upon agricultural operations there was a great outcry. The inference, apparently which it is desired to draw is that it was the independence enjoyed by the Japanese as agriculturists which united the capitalists with laborers in their opposition to Japanese immigration. The *Daily Commercial News*, however, which represents capitalistic interests, would seem to hold a different opinion. It points out that California has a population of 3,400,000, of which the Japanese constitute only 100,000, and that Japanese hold only 100,000 acres of land out of a total of 50,000,000 acres owned by Americans. Why, therefore, should Californians be alarmed? There is much force in this argument if it stood alone. But there would be little agitation in America if the case was so simple as all that. If the immigrants were Dutch or Swedish, or even Poles or Lithuanians, no objection would be raised. Then the objection, it will be suggested, must be on racial grounds. But that also is not the sole explanation, nor does it answer the question even if associated with the economic factor. It is true that much is heard of the unassimilability of Japanese, and of their forming separate communities. There is undoubtedly a fear that the steady and continued influx of Japanese would in time constitute another color problem in the United States, and the negro problem remains unsolved and in the opinion of many is insoluble. But neither the economic nor the racial factors wholly account for the hostility shown in California not only to Japanese immigration but to the Japanese already within the confines of the State, who are admittedly law-abiding and industrious citizens, and in many cases have acquired a real liking for the institutions of their adopted country.

Looking back during the last few years on the history of the Japanese question in California and the Pacific coast generally, it will be observed that it changed its character from the time of the Russo-Japanese War. Prior to that date the attitude of America towards Japan was friendly and sympathetic. During the war Americans sided whole-heartedly with Japan, and it did not need the efforts of Viscount Kaneko and his propagandist bureau to evoke the warmest congratulations on Japan's victorious career across Manchuria. It was generally believed in America that valiant Japan had entered into conflict with the mighty Colossus of the North in defence of the independence of Korea and the integrity of China, in accordance with the terms of the Imperial proclamation. The end of the war proved that Japan, no more than any other country, was animated by altruistic motives. Japan simply took the

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place in Manchuria from which she had driven Russia, and forced a convention on China which was far more dangerous to Chinese integrity than the policy of the Northern Power. She declared a protectorate over Korea, which in due course was converted into annexation. Mr. Knox as U. S. Secretary of State endeavored to retrieve the situation by his scheme for the neutralisation of the Manchurian railroads, the effect of which would have been to prevent any one Power from obtaining a territorial foothold in China by virtue of railways protected by foreign troops. The only result of his scheme was to create a bitter antagonism in Japan to America, which was charged with endeavoring to snatch the "fruits of victory" from Japan and nullify the sacrifice of thousands of Japanese lives in Manchuria. But the reaction on America was far greater than in Japan. For the first time it was realised that Japan was engaged on an aggressive policy, being concerned not for the integrity of China or the maintenance of the open door, but for the advancement of Japanese power and influence on the mainland. From this moment the tide of feeling in America, which had hitherto run so strongly in favor of Japan, began to change, and not all the propaganda of the Japanese Press Bureau had any influence in checking the change of current. America became suspicious, and, as events proved, not without reason. The protectorate of Korea became converted into annexation. With the outbreak of the Great War, Japan drove Germany from her outpost in the Far East at Tsingtau and occupied it herself, failing until this day to redeem her promise of surrendering the territory to China. Russia's weakness became Japan's opportunity to strengthen her own position in Manchuria. The absorption of the Western Powers in the conflict in Europe was seized upon to present the Twenty-one Demands a series of claims that, if conceded in their entirety, would have destroyed China's sovereignty. An unhappy proposition in Washington to co-operate with Japan in sending troops to Siberia for the relief of the Czechs gave Japan the opportunity of extending her influence to the north of China and an arrangement by which Japan was to send 7,000 troops and America a similar number resulted in Japan dispatching ten times the strength agreed upon, and then, when the American troops were withdrawn, effecting a *coup d'état* which put her into occupation of the Maritime Provinces.

Now we do not propose to discuss at the moment whether Japan was or was not justified in her action or her policy. No doubt she could bring plenty of precedents for both from the history of the Western Powers. But the consequence of these events was to raise a feeling of deep suspicion in America. Japan was regarded as an aggressive Power, eager to extend her dominions and not much concerned regarding the means of doing so. The United States had extensive commercial interests in China and hoped to see a considerable market grow up in Siberia. But as Japan pursued an exclusive commercial policy, the extension of her territorial influence on the Asiatic mainland threatened American economic interests, while her military ambitions under the guidance of the men who had come into power after her two great wars were believed to be illimitable. In Burma, for example, the Chinese have acquired the most extensive interests, and nothing is said, the enterprise of Chinese being taken as a matter of course, while the appearance of a few Japanese occupying prominent sites and doing business at once arouses suspicion and evokes criticism and oppostion. The explanation is that China is not regarded as an aggresive Power, while Japan has acquired that reputation: and though

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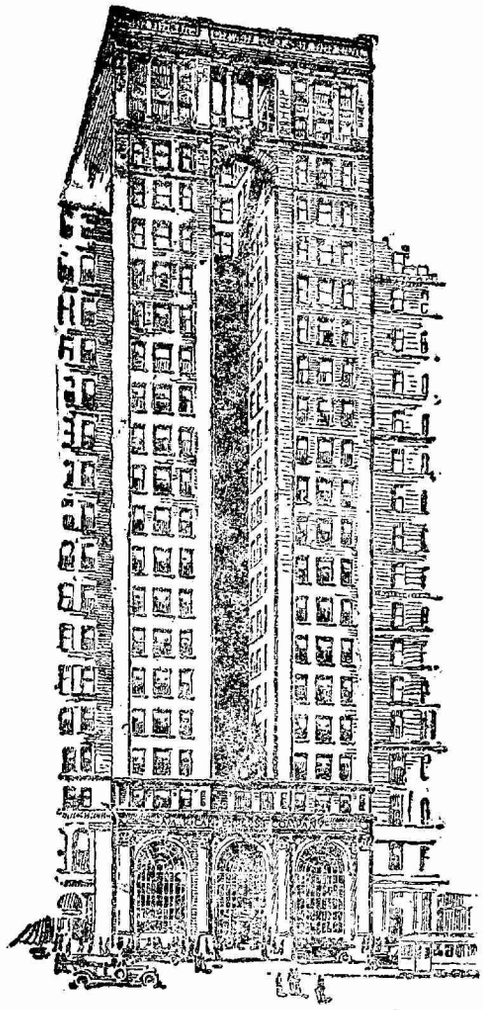

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Our friends are cordially invited to make use of this new office whenever visiting or travelling via Europe, making it their business and social headquarters, receiving their mail and telegrams there, transacting their travel banking there, etc.

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SHANGHAI—8 Kiukiang Road

Chinese, equally with Japanese, are barred in California, it is in their case purely on economic grounds. Here, therefore, lies the explanation of the hostility felt towards the establishment of a large body of Japanese on the Pacific coast. The economic and the racial factors have both to be reckoned with, but the principal explanation of the hostility aroused towards Japanese immigration or Japanese colonies on American territory is the belief that Japan is an aggressive Power. It is not necessary to believe the nonsense that Japanese immigrants are men of the reserve, or that every group of Japanese is an agency for espionage, to realise that the policy of Japan under the militarist party and her actions in China and Siberia have provided much justification for the attitude taken up in California. When a publicist who has been employed to write an official account of Formosa is known to be engaged in an active campaign advocating Japan's southward expansion, it is not unnatural that the Philippines should be regarded as unsafe, while Japan's anxiety for the mandate of a number of South Sea Islands, far away from her own shores, but across the track of communication between the Pacific coast and the Philippines, adds fuel to the flames of suspicion. When one of the most influential of Japanese statesmen, who has held in his time the highest offices in the Administration, is seen to be strongly chauvinist in his views, and capable of rousing his countrymen to white heat on questions of nationalism, it is not unnatural that even a hundred thousand Japanese in a population of three millions should be regarded as a menace. Such are the penalties which a nation suffers from the policy of its statesmen or of the power before which statesmen bow. His own countrymen may have laughed when Marquis Okuma (then but a simple Count) predicted that some day Japanese would be found fighting on the plains of Europe against the effete Occidentals, or that there were three hundred millions in India awaiting their freedom at the hands of Japanese, but these figures of speech are apt to be interpreted abroad as indicating a certain tendency. It is deeply to be regretted that the relations between Japan and America should be marked by suspicion, for suspicion has an unfortunate way of hardening into dislike and aversion. To judge from Japanese papers, it might be thought that there had been no criticism of America before the latest proposal of California legislation. Yet those acquainted with the facts will be aware that for months past there has been bitter criticism of the United States because that Power is assumed to be hostile to Japanese penetration of China. The nationalisation, land and immigration issues are only part of the quarrel. At its root is the belief in America that Japan is aggressive and pursues an aggressive policy. If that belief can be eliminated by a change in the foreign policy of Japan the racial and economic differences of which so much is heard will be found comparatively easy of adjustment.

A Cheerio From England

From the "Evening Missourian, Columbia, Mo."

For Americans who think the Nation's wagon is mired in the bogs of profiteering and selfishness, Philip Gibbs' synopsis of the war and America's part in it, which appears in *Harper's* magazine, will have a heartening effect.

America's generosity to starving Belgium, congested Holland the desolated sections of France in the early years of the war; America's soldiers in the war and the way they did their work; American citizens' disgust with the imperialistic ambitions of Clemenceau, Nitti and Lloyd-George as revealed at

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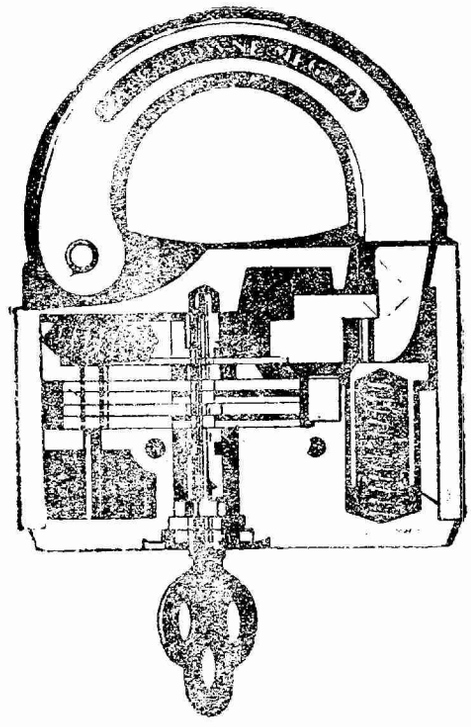

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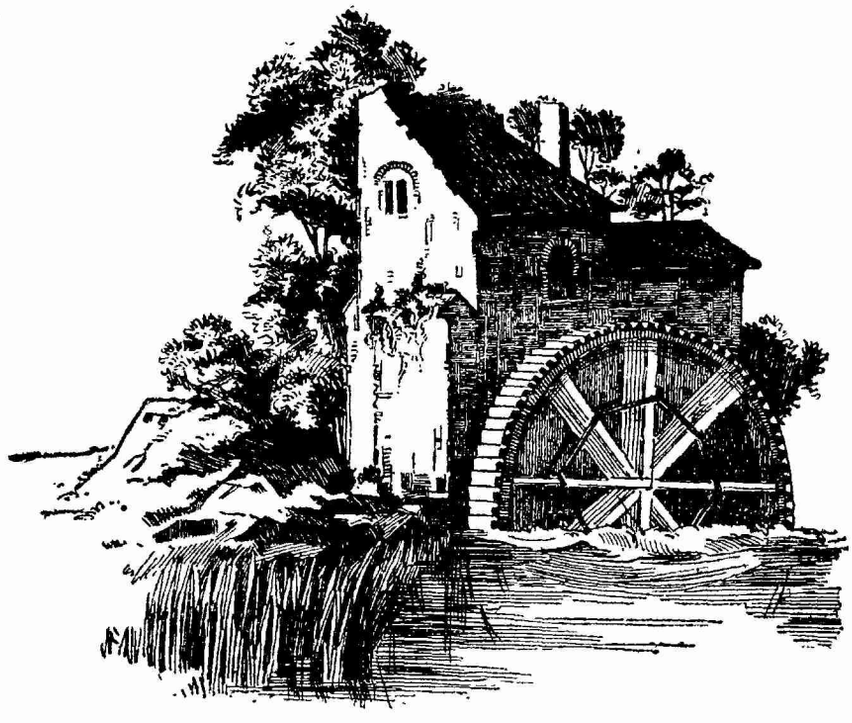

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the Peace Conference, and, finally, the work of the American relief among the stricken nations of Central Europe. Gibbs has told it all. He has told it in the fairest way possible, from the viewpoint of a cosmopolitan.

Gibbs saw the first Americans going up the roads of war to the line. He says of them:

. . . Looking down a marching column, we saw that it (the national characteristic) was something in the set of the eyes, in the character of the cheek-bones and in the facial expression which made them distinctive. They had a look of independence and self-reliance, and it was as visible as the sun that these were men with a sort of national pride and personal pride, conscious that behind them there was a civilization and a power which would give them victory, though they in the vanguard might die.

Gibbs quotes an English officer as saying on this occasion:

What we are seeing is the greatest thing that has happened since the Norman conquest. It is the arrival of America in Europe. Those boys are coming to fulfill the destiny of a people which for 300 years has been preparing, building, growing, for the time when it will dominate the world. . . . Germany will be destroyed because her man-power is already exhausted, and she cannot resist the weight which America will now throw against her. But by this victory, which will leave all the old Allies weakened and spent and licking their wounds, America will be the greatest power in the world, and will hold the destiny of mankind in her grasp. Those boys slogging through the dust are like the Roman legionaries. With them marches the fate of the world, of which they are masters. . . . After this war, which those lads will help to win, the power will pass to the West, and Europe will fall into the second place.

Of present British politics Gibbs says:

So far from desiring an extension of our Empire, the vast and overwhelming majority of the British people, not only in England, but in our dominions beyond the seas, is aghast at the new responsibilities which we have undertaken, and would relinquish many of them, especially in Asia, with a sense of profound relief. We have been saddled with new and perilous burdens by statesmen who have earned the bitter animosity of the great body of the British people, entirely out of sympathy with the imperialistic ideals.

And much more. Philip Gibbs does a rare service to two nations when he talks straight to us of the United States. He is not always complimentary. He is wholesome. His praise is direct; his criticism is the same.

The case of America seems much nearer a cure after Gibbs' dose of straight-thinking. It is a heartening "Cheerio" from one who says only what he means.

American College Clubs in China

The initial fall meeting of the American College Club was held at the home of Mrs. Eugene Davis, West Gate, Shanghai, on the afternoon of Tuesday, October 26. Tea was served and a business meeting followed, presided over by Miss Mayling Soong, acting president of the club. Following the treasurer's re-

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port several committees were elected: an entertainment committee, chairman, Mrs. M. Benjamin, assisted by Mrs. M. Cavanagh, Mrs. Kung, Mrs. H. A. Wilbur, and Miss Carter. Mrs. H. A. Pulver, who is now in America, was formerly chairman of this committee. The Membership Committee consists of Miss Emma Lester of McTyeire School, chairman, filling the vacancy of Mrs. F. J. Raven who is in America, and assisted by Mrs. R. A. Lunkley, and Mrs. W. G. Hiltner. It was announced that anyone desiring to become a member of the College Club is asked to communicate with Miss E. Lester, McTyeire School, for membership card of application. The next meeting of the club will be held at the home of Mrs. Benjamin, 52 Avenue du Roi Albert, Shanghai, on November 30. The meeting will open at 2:30 o'clock when members will spend the afternoon sewing for the famine sufferers in North China. Mrs. Alfred Davis is in charge of the clothes committee and people who have old clothes they are willing to donate to this cause and which have to be altered or readjusted are asked to deposit them in a box supplied for the purpose at Squires Bingham and Company, 17 a Nanking Road. However anyone having clothes ready to be used are asked to bring them to the next meeting of the club and are especially requested to see that all necesssary repairs are made, buttons supplied, and in good condition generally. Mrs. Marjorie Cavanagh was appointed chairman of a committee to make plans for a Christmas musical program which will be given at the meeting held in November.

The first social function given by the Peking American College Women's Club was given in the way of a luncheon last week at the Wagon Lits Hotel, Peking. More than eighty members and frends of the club were present, representing most of the colleges and universities in America. Mrs. T. D. Macmillan, president of the club, presided and the following guests were introduced: Mrs. Mary Roberts College professor of sociology at Mills College, California; Miss Clara Loomis of Yokohama; Mrs. Chauncey Goodrich, head of the Red Cross Committee for Famine Relief; Mrs. Edwards, president of the Friday Study Club; Mrs. Fette, president of the Mother's Club; Mrs. Roger Green of the Union Medical College; Miss Wood of the London Mission; and Miss Gleason of the Young Women's Christian Association. Before the speakers were introduced Mrs. Macmillan announced the program for the year. The program as announced was received with much interest by the members of the club and those present who have newly arrived in the city and who will take part in the functions this season. There will be four meetings addressed by speakers on subjects connected with recent changes in the work and interests of women throughout the world. Current event lectures will be conducted by a member of the club at a meeting in January and April. On January 22, there will be a men's night, when the guests of the club will be entertained with a play. A survey is being made of the possibilities for education for Chinese women and girls in and about Peking, and a report will be made on this work later in the year. There will also be a reception for the students of Yen Ching College. Plans for a "college afternoon" met with much enthusiasm. It is planned to have various members who are representative of the many colleges

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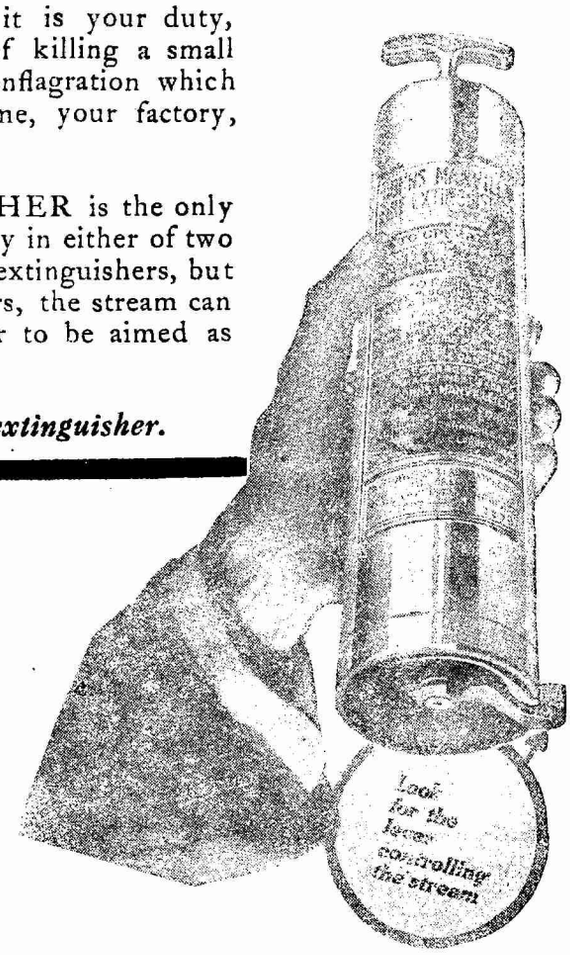

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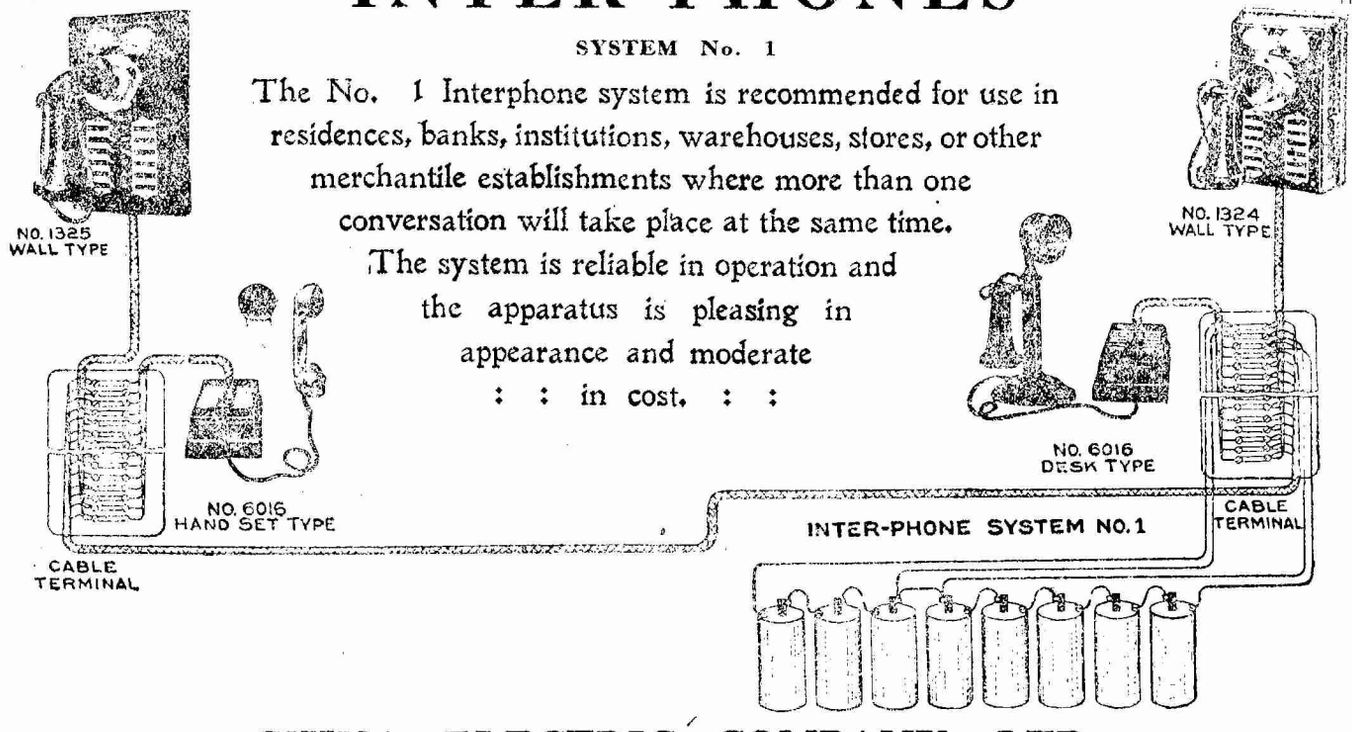

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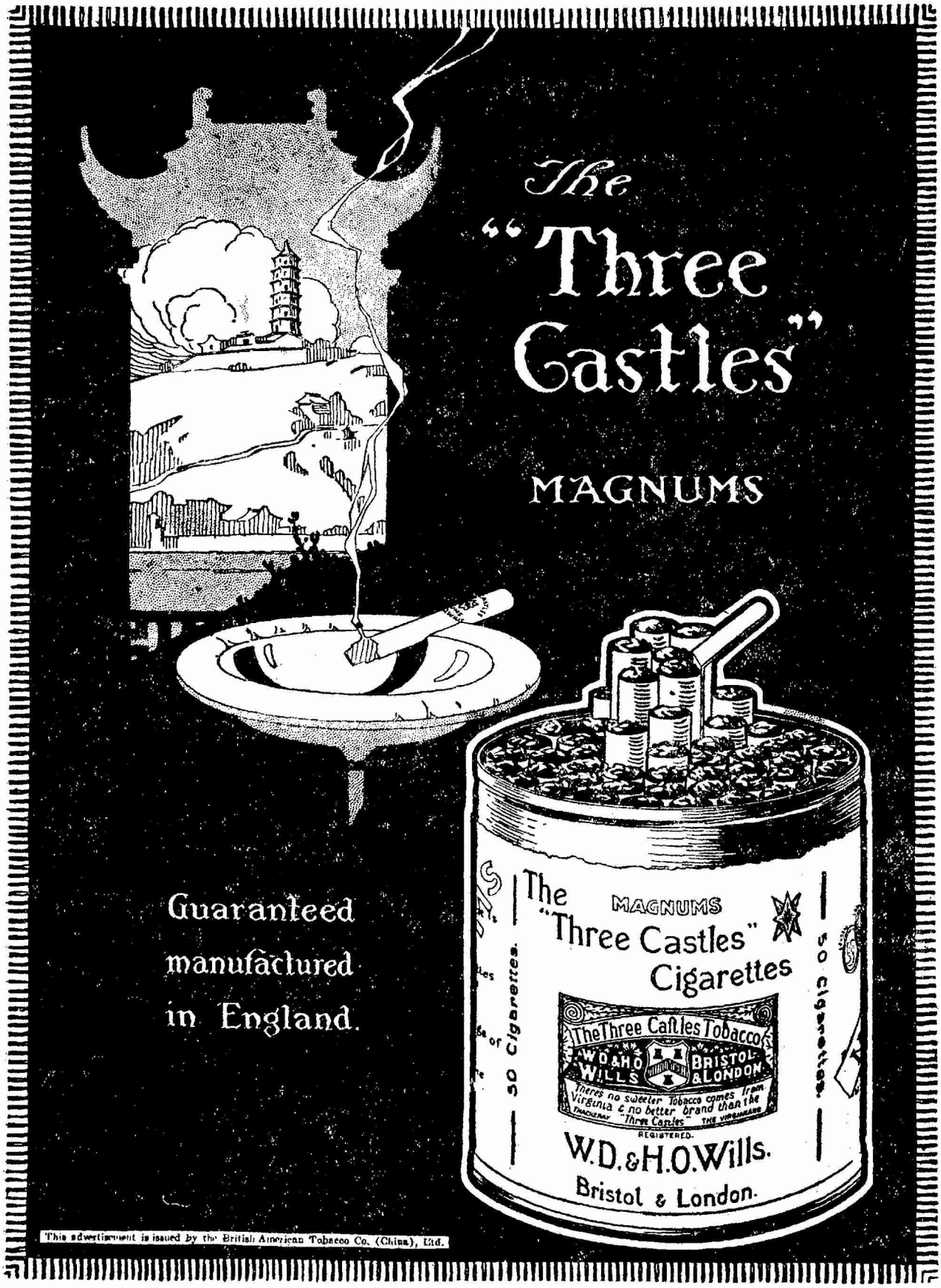
in America, give brief accounts of the characteristic features and work at these colleges.

The American Red Cross in China

About $500,000 worth of medical and hospital supplies—consisting of gauze, absorbent cotton, non-absorbent cotton, cellu cotton, bandages, surgical dressings, blanketing, canton flannel, convalescent garments, hospital shirts, bottles, adhesive tape, vaseline, glycerine, ice caps, sterilizers, microscopes, incubators sweaters, socks, surgical instruments, drugs, etc., consisted of 3,305 cases of supplies, received from the Siberian Commission of the American Red Cross for distribution among the Mission Hospitals of China, regardless of nationality or creed. In order that a basis might be arrived at for a systematic analysis of the requirements of all hospitals so that an equitable and satisfactory distribution might be made, questionnaires were sent out to all hospitals June 5. For convenience in making a systematic analysis of the supplies, the requirements of all hospitals and in determining quantities and commodities for distribution to each hospital, information submitted by hospitals on questionnaire was transferred to a statistical chart, which now gives a complete and accurate history of the distribution. Shipments (400 in number) have been made to 350 hospitals, 118 American and 232 non-American and it is anticipated that, within the course of a few weeks now, the work of distribution and all necessary details connected therewith, will be completed.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Kaifengfu-Honanfu (Peinlo) Line

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THE connecting link of the main Shanghai Tientsin line with the Peking-Hankow line is the Kaifenfu-Honanfu (Pienlo) Railway—often called the Lunghai and Pienlo line-which is 115 miles in length. It was financed principally by Franco-Belgian capital.

This line line joins the Peking-Hankow Railway at Chenchow and an extension at Hsuchowfu connects it with the Shanghai-Nanking-Tientsin line. The line is franchised and has a capital of Mex. $17,270,595 of which Mex. $17,182,006 is paid up. The franchise for its construction was granted to the Compagnie Generale des Chemins de Fer et Tramways de Chine. Two hundred and sixty miles of extension to Sianfu was originally granted to two Chinese provincial companies. The first section of 115 miles was redeemed by the Chinese Central Government in 1914.

Further information regarding the line may be obtained by addressing the

DIRECTOR-GENERAL, LUNGHAI RAILWAY

Peking, China.

14-496

Newspaper Enterprise Association to Raise Million for Famine Relief

The Newspaper Enterprise Association, an organization in America which supplies news to more than 400 newspapers has started a campaign in the United States to raise a fund of at least $1,000,000 for famine relief work in China. Jack Mason, representative for the "N. E. A." in China, while in Peking last week obtained the permission of Hon. Charles R. Crane, American Minister to China to act as personal custodian for the funds which will be handled personally by the American Minister for relief work conducted in China this winter. It is expected that the money will be used chiefly in the relief work being conducted by the American Red Cross. The Red Cross fund of $500,000 which was contributed by the American Red Cross several days ago, was obtained by Mr. Crane upon the personal recommendation of President Wilson. The Newspaper Enterprise Association will begin its campaign for funds in all parts of the United States immediately after the election on November 2. The campaign will be actively pushed until Christmas by which time it is hoped that at least $1,000,000 will be raised. The President of China has given Mr. Mason a personal message of congratulation for the interest of his organization in the relief work and in addition a number of other prominent Chinese officials have given their endorsement.

Roads Lined With Dead in North Honan

Grain is not only priceless but almost non-existent, trains transporting grain are often plundered at Weihweifu and Sin-siang, land and cattle are without value and people have commenced to sell women and young girls, and people are wandering about aimlessly to be decimated by hunger and illness in North Honan province, according to recent reports received from Catholic priests dated September 15, at Wehweifu. Roads in certain places are sprinkled with corpses.

Cholera is also raging in Honan. In the entire district approximately two million persons are faced with starvation. Relief work is being conducted as well as it can be there with limited funds. This work is also progressing in the other famine stricken regions. Contributions to the relief work may be sent to the following persons in Shanghai: Sung Han-chang, The Bank of China; Fu Siao-en, The Commercial Bank of China; William Morris, The British-American Tobacco Company; G. H. Stitt, The Hongkong and Shanghai Bank.

Men and Events

A daughter, Alice Barbara, was born to Mr. and Mrs. William H. Lowe, on Saturday, October 23, at 669 Rue Ratard, Shanghai.

Charles E. Guest, manager of the United States Rubber Export Company of Manila, is in Shanghai this week on business. He is staying at the Astor House Hotel.

The Japanese Consul-General will be at home on Monday, November 1, from 11:30 to 12:30 p.m. to celebrate the birthday of H. M. the Emperor of Japan, at the Japanese Consulate-General, 1 North Yangtsze Road, Shanghai.

A. Fleming Kimball, formerly with the British-American Tobacco Company, Shanghai, and recently

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11-48

14-497

At Christmas I no more desire a rose
Than wish a snow in May's new-fangled mirth;
But like of each thing that in season grows.

— — — *SHAKESPEARE.*

The time is at hand when the season of Christmas begins to occupy our minds. It is particularly urgent that preparations be made for the remembrance of families and friends in other lands. Our complete stock of Christmas goods contains:

Christmas cards, with appropriate verses and decorations in lots of 25, 50 and 100.....5 to 30 cts. each.
Twenty assorted small Christmas cards .....$1.25.
Assorted steel engraved cards.....$1.50.
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Tinsel cord, in various colors .....20 cts. a roll.
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Printing or engraving the name of the sender on Christmas cards.

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SOLE AGENTS

returned from several months furlough spent in America is now with the International Savings Society, 7 Avenue Edward VII, Shanghai.

J. W. Finch of the New York Oriental Mines Corporation visited in Shanghai a few days before his departure on the *Empress of Russia* last Saturday for America. Mr. Finch is interested in several important mining enterprises in Yunnan Province.

George A. Fitch and Miss Alice Fitch have issued invitations for the fiftieth anniversary of the arrival in China of the Reverend George Field Fitch, on Thursday afternoon, November 4, from 4 to 7 o'clock, at their home 50 Dixwell Road.

Herbert M. Dibert, engineering representative of the firm of W. and L. E. Gurley, makers of engineering instruments of Troy, N. Y., is in Shanghai on business after a general trip through Japan and North China. He is staying at the Astor House Hotel.

Russell L. Hohl, architect of Cleveland, Ohio has recently arrived in Shanghai to join the office of R. A. Curry, architect. Mr. Hohl has been in charge of large municipal buildings viz. The New Cleveland City Hall and the Warrensville Tuberculosis Hospital correction and infirmary group built for the city of Cleveland.

The celebration by the small colony of Czecho-Slovaks in Shanghai of the second anniversary of the founding of the Republic, was observed on Thursday, October 28. T. C. Masaryk, was elected president of the Republic, and under his executive administration during the last two years the Republic has set about to effect an ambitious national development.

The death occurred of James S. Fearon at Tientsin recently, acccording to information received. Mr. Fearon had been suffering for sometime from a cancer. He was one of the oldest China residents, arriving here about 1870 from Australia. Mr. Fearon was instrumental in forming the present firm of Fearon and Daniel and other firms and was very active in the settlement of Shanghai.

The postponed meeting of the Pan Pacific Union will be held at the Carlton Cafe on Friday, October 29, at 12:20 o'clock. Charles Denby, former Consul-General at Shanghai, and now manager for the Far East of Gaston, Williams, and Wigmore, will be chairman for the meeting. Chu Chi-hsu, Consul-General for China at San Francisco will speak on the foreign trade of China. Members will have the privilege of bringing friends.

Nearly $5,000 has been collected and pledged for the Y. W. C. A. which is conducting a campaign for funds at the present time. The amount aimed for is $13,000. A team headed by Mrs. C. W. Atkinson is in the lead, and second is a team headed by a Chinese lady. There are four Chinese teams and two foreign teams. The second rally will be held at the Y. W. C. A. local association at 11 Quinsan Road, on Friday afternoon, 4 o'clock.

The Advertising Club of China will hold its next meeting on Friday, October 29, at the Chinese Y. M. C. A. at 5:30 p.m. The subject of Peony Brand tinned milk will be discussed, and the advantage of using triangular tins, different styles of packing, label, size of container, etc., in marketing the milk in China. The idea is one in which every one is interested in selling an article of universal consumption and it is

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requested that all members be present and take part in the discussion.

Mr. and Mrs. Harold S. Carey have arrived in Shanghai, where Mr. Carey will be connected with the Chinese-American Tobacco Company, a new organization. Mrs. Carey is a sister of G. L. Shaw, the British merchant at Antung, Manchuria, who is now being held by the Japanese authorities at Seoul, on the technical charge of entering Korea without a passport. He has been held in jail without trial for more than three months. Mr. and Mrs. Carey are staying at the Palace Hotel, Shanghai.

H. P. Sailor, for several years connected with St. John's University, is opening an office in Shanghai for the firm of Buck and Stoddard, American National Bank building, San Francisco. They are importers, exporters and distributors chiefly of machinery, with offices in Australia and Dutch East Indies. Mr. Sailor has just returned from an extensive trip in America, where he visited Chambers of Commerce and trade bodies, in various parts of the country. He delivered addresses dealing with Chinese affairs before about forty different organizations.

The marriage took place on Saturday evening, October 23, at the Union Church, Shanghai, of Milton Theobald Stauffer of the China Continuation Committee, Shanghai, and Miss Marjorie Williams Hall of Worcester, Massachusetts, and a member of the Margaret Williamson Hospital, West Gate, Shanghai. Rev. Y. C. Cheng of the London Mission Church, Peking, officiated. C. E. Heinsohn and Miss Elizabeth Hall, a sister of the bridesmaid, acted as best man and bridesmaid. Following the ceremony a reception was given at 6 Darroch Road, where Mr. and Mrs. Stauffer will be at home after November 15. They departed for Kuling on their wedding trip.

According to an announcement made by George Whittaker, a director of the Liggett and Meyers Tobacco Company, one of the largest American tobacco manufacturing concerns in the world, the company will open offices in Shanghai and Hongkong in the immediate future. Mr. Whittaker has been making a survey of the field for several months and announced that the offices in Shanghai will be branches of the American company. The Shanghai office will be fitted up at No. 5 Siking Road and will be in charge of J. W. Andrews of New York. G. C. Wimer is to be sales manager for North China. R. S. Rogers will be in charge of the Hongkong office.

H. E. Cole, director of the Standard Oil Company of New York, who has been visiting in Shanghai for several weeks is departing on Sunday, October 31, for a tour through North and Central China where he will visit the various offices of the Standard Oil Company. Upon his return to Shanghai he expects to take a trip to the Philippines, Straits Settlements, Siam and India, returning to America about June, 1921. Mr. Cole several years ago was connected with the office of the Standard Oil Company in Japan, and now has charge of the Far Eastern division in the New York office. He has a very close interest in Oriental affairs and is one of the directors of the China Society of America in New York. According to Mr. Cole, there is now a greater interest in China in all parts of the United States than has existed for several years.

Announcement of the results of a meeting of Chinese ratepayers whereby twenty-seven directors

Regulations of the Short Term Loan for the Improvement of the Monetary Market.

Art. 1.—The Government issues this Short Term Loan for the purpose of improving the money market. The authorised amount of this loan shall be sixty million dollars ($60,000,000.00). This loan shall be known as "The Short Term Loan for the Improvement of the Monetary Market."

This loan shall be issued under the management of the National Loan Bureau.

Art. 2.—The rate of interest of this loan shall be six per cent per annum (6% p. a.).

Art. 3.—This interest of this loan shall be paid half-yearly, on March 31st and September 30th of each year.

Art. 4.—The term of this loan shall be six years. Drawing for repayment of principal shall take place half-yearly, beginning from March 31st, 1921, until the loan is fully repaid in September 30th, 1926, one-twelfth of the loan, or $5,000,000.00, to be repaid at each drawing.

The above mentioned drawings of bonds shall take place at Peking, on March 10th and September 10th of each year, while the repayment of bonds shall commence from March 31st and September 30th of each year.

Art. 5.—The Ministry of Finance shall request the Inspector General of Customs to appropriate from the surplus revenue the sums required for the loan service and deposit the same in the Bank of China and the Bank of Communications for the purpose of meeting the repayments of this loan in accordance with the Amortisation Table attached hereto. In case such funds are insufficient for the loan service, the Ministry of Finance shall appropriate funds from other sources to meet the requirements.

Art. 6.—The bonds of this loan shall be sold at par and only in exchange for the Peking Notes of the Bank of China and the Bank of Communications.

Art. 7.—The bonds of this loan shall be bearer bonds.

Art. 8.—The bonds of this loan shall be of the following five denominations:—

a. $5.00
b. $10.00
c. $100.00
d. $1,000.00
e. $10,000.00

Art. 9.—The above bonds when they are due for repayment of principal, and the matured coupons, may be used as cash in payment of Government taxes and duties (other than Maritime Customs duties) and for other similar purposes.

Art. 10—The above bonds can be used as guaranty fund or fiduciary reserve of banks.

Art. 11.—The above bonds may be bought, sold, mortgaged or used as security in Government service in case where such security or guaranty is required.

Art. 12.—Any official or person concerned in the transactions of the above bonds who by any action damages the credit of the same, shall be punished in accordance with the Ordinance relating punishment for damaging the credit of Internal Loans.

Art. 13 —Fifteen days prior to the date of repayment of principal or payment of interest of this loan, the Ministry of Finance shall petition the President to appoint two Auditors of the Board of Audit, who shall inspect the accounts and the fund for the repayment of principal and payment of interest of this loan. The Auditors and the authorities of the Ministry of Finance shall jointly superintend the drawing of bonds for redemption.

Art. 14.—These regulations shall come into force from the date of promulgation.

AMORTISATION TABLE OF THE SHORT TERM LOAN FOR THE IMPROVEMENT OF THE MONETARY MARKET.

AUTHORISED AMOUNT: $60,000,000.00

INTEREST: 6% per annum, beginning from September 30th, 1920.

DATE OF PAYMENT	INTEREST PAYABLE	PRINCIPAL PAYABLE	TOTAL OF INTEREST AND PRINCIPAL	OUTSTANDING PRINCIPAL
March 31st, 1921	$ 1,800,000.00	$ 5,000,000.00	$ 6,800,000.00	$55,000,000.00
Sept. 30th, 1921	1,650,000.00	5,000,000.00	6,650,000.00	50,000,000.00
March 31st, 1922	1,500,000.00	5,000,000.00	6,500,000.00	45,000,000.00
Sept. 30th, 1922	1,350,000.00	5,000,000.00	6,350,000.00	40,000,000.00
March 31st, 1923	1,200,000.00	5,000,000.00	6,200,000.00	35,000,000.00
Sept. 30th, 1923	1,050,000.00	5,000,000.00	6,050,000.00	30,000,000.00
March 31st, 1924	900,000.00	5,000,000.00	5,900,000.00	25,000,000.00
Sept. 30th, 1924	750,000.00	5,000,000.00	5,750,000.00	20,000,000.00
March 31st, 1925	600,000.00	5,000,000.00	5,600,000.00	15,000,000.00
Sept. 30th, 1925	450,000.00	5,000,000.00	5,450,000.00	10,000,000.00
March 31st, 1926	300,000.00	5,000,000.00	5,300,000.00	5,000,000.00
Sept. 30th, 1926	150,000.00	5,000,000.00	5,150,000.00	nil
TOTAL	$11,700,000.00	$60,000,000.00	$71,700,000.00	

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and fifteen alternatives who will elect five Chinese advisors to the Municipal Council was made on Friday, October 22, at a session of the Chinese Ratepayer's Association at the Chinese Y. M. C. A. The results follow: Directors:—Dr. C. T. Wang; C. C. Pao; C. C. Nieh; Chen Tse-ming; H. C. Sung; D. Z. T. Yui; Dr. C. C. Wu; Yuan Li-tung; J. J. Yuan; Sze Liang-zai; Chu Keng-shin; Yu Kuo-chen; Y. M. Chien; Lu Wen-tsung; Tien Shu-ling; Lau King-shu; H. Y. Moh; W. S. Chow; Lu Tseng-pao; Hsu Shih-chen; Y. S. Ziar; S. C. Chu; Ching Chen-ching; Liu Ching-chai; Dr. F. C. Tong; Cheng Cho-koo; Dr. K. P. Chen. The alternatives named were: Wu Ting-sung; Wu Chi-chun; Yu Yah-ching; Pan Chen-pu; Fok Shuh-wah; Lo-fe Pah-hung; Kan Chiu-nam; Wu Chi-ho; P. Y. Chang; Chu Shao-ping; Wang Chai-yung; Han Sung-mow; Jabin Hsu; Chen Dah-san; Fan Tsio-peh.

News from North China

A Mandate was issued on October 19, proclaiming that any official found guilty of embezzling famine relief funds to the amount of $500 or over will be liable to the death penalty or indefinite penal servitude.

J. B. Crow, Jr., who has been the Tientsin manager of the Pacific Mail Steamship Company, is leaving the last of the month to become manager of the Shanghai office. H. R. Sims has just arrived from San Francisco to take over the Tientsin mangement in Mr. Crow's place.

E. W. White, manager of Insular and Foreign Division of the American Red Cross, who has just arrived in North China from the Phillipines, is making an investigation of local conditions relating to famine relief in this part of the country. Mr. Baker has been delegated by Minister Yeh of Communications to help out the relief work.

J. C. Ho, Secretary of the President and Associate Director of the Peking-Hankow Railway, and also Secretary of the Minister of Communications, has been appointed a member of the publicity department of the International Union Relief Committee upon the recommendation of Liang Shih-yi, president of the North China Famine Relief Association.

The Government University conferred degrees of Doctor of Philosophy upon John Dewey and Doctor of Laws upon Dr. Paul S. Reinsch. Tsai Yuan-pei, Chancellor of the University, presided. Fan Yuan-lien, Minister of Education and many other distinguished Chinese and foreigners were present, the auditorium was filled with visitors.

The American Army transport *Meritt* is bringing up a number of gifts from Manila for the famine victims on her next trip. They include 500 undergarments, 1,500 flannel shirts and sweaters, 3,000 pairs of socks, 3,000 pairs of shoes, and 5,000 sacks of corn meal of 110 lb. each. This cargo will be unloaded either at Taku or Chinwangtao.

The Chinese government has made an overture to the representatives of the old consortium for a famine loan of $12,000,000 and the proposal has been referred to the new consortium. The International Relief Committee has suggested to the government that a loan of $50,000,000 should be obtained on the security of the sur-taxes on salt, the customs, etc.

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The writer and the Chief of our Far Eastern Trade Division have examined with great interest "The New Atlas and Commercial Gazeteer of China" which you have issued.

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We congratulate you on the success which has attended your efforts in compiling a work so greatly needed for the vast Chinese Republic. You have succeded in bringing together a vast amount of information, geographical, commercial and industrial, obtainable through no other one source, and presenting it with an admirable series of charts and maps of the utmost value to all interested in Chinese affairs, and this, combined with the admirable typographical arrangement and execution, should make it appeal successfully for the support of government departments, colleges, libraries, business houses and individuals.

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The representatives of the Educational Association, Chamber of Commerce and the People's Union met in the Tientsin Central Chamber of Commerce on October 19, to discuss methods of calling the Tientsin Hsien Preparation Society of the National Convention. The decision was that more organizations should be represented at a meeting to prepare for calling the Society.

More then ten thousand persons, representing every walk of life in Chinese Society, and a fair sprinkling of interested foreigners, witnessed the demonstration of physical education by the primary school students of Tientsin, held on October 16, on the open field of Nankai College. The affair was under the auspices of the Tientsin Chinese Educational Association aided by some Y. M. C. A. secretaries.

J. G. Steinburg has returned to Tientsin from the United States where he spent over a year directing the San Francisco and New York branches of G. P. Steinburg and Sons, importers and exporters, and will be general manager of the Tientsin office. Under his supervision a new gin factory will be erected, the machinery having been purchased by him on his American visit from Murray and Company of Atlanta, Georgia.

Chow Tsz-chi, Minister of Finance and Director of the Currency Bureau, and Chang Hu, Chief of the Currency Bureau, have sent a petition to the President suggesting that all the mints in China should be placed upon the same footing and come under the direct control of the government, the mint at Tientsin ceasing to be the head mint. This step is suggested with the object of standardizing the currency throughout China.

The Paotingfu Christian Famine Relief Committee has just finished distributing about $17,000 worth of seed wheat to poor farmers in the surrounding country who would have been unable to plant without help. They are to return an equal amount of wheat after harvest next summer and the ideal weather conditions promise a good crop. The funds for this work were mostly donated by the American Red Cross and other committees in Peking.

The International Press Club was reorganized at a special meeting of members convoked at the club headquarters on the afternoon of October 19. About twenty Chinese and British newspaper-men were present. It was decided to sever the club from any taint of government or party subsidy or influence, and maintain it purely as a common meeting-ground of Chinese and foreign journalists; the expenses to come from admission fees and monthly dues.

K. C. Li, president of the Wah Chang Company, and vice-president of the Wah Chang Mining and Smelting Company, with his office at New York, after visiting in Peking for three days, left for Shanghai on Monday on his way back to the United States of America. He was accompanied by one American secretary and two Chinese secretaries. His company exports from China to America twenty million dollars' worth of products annually.

Madame Hsu Shih-chang, wife of the President, has contributed $3,000 to the Chinese Women's Red Cross Association for famine relief in North China. On her birthday on October 11, Madame Hsu did not give any feast, and saved the money for the purpose. On October 10, when he was acquainted by her and the President with details of the extent of the famine

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Mr. Skidelsky, a wealthy Russian merchant from Harbin, contributed $30,000 to the famine relief fund.

C. T. Wang, China's delegate to the International Peace Conference, arrived at Peking from Shanghai on the afternoon of October 19. On the same evening he was entertained at dinner by Clarence Sun, director of the Chuchin Railway. He was entertained at dinner on the October 21, by the Minister of Foreign Affairs. The question whether Mr. Wang will take up his duties as Chairman of the Commission for the study of the German and Austrian Treaties is not yet decided.

On the occasion of the official opening of the Peking Golf course and a match between Tientsin and Peking players, one hundred and fifty guests were entertained at tiffin on October 17, by the Golf Club at its delightful new premises, which are very picturesque. The course is about half an hour's journey by motor car from Peking. It surrounds two hills on the highest points of which pavilions have been erected for the convenience of spectators. The game at tiffin-time had resulted in Peking winning in single five matches and Tientsin three matches.

Wang Hu, Governor of the Metropolitan Area, has been instructed by the Ministry of the Interior, in accordance with the decision of the Cabinet, to proceed with the construction of the roads from Peking to Tsinanfu and from Tsinanfu to Kaifengfu. The road to Tsinanfu will pass through Chohsien, Jencho, Hochien Hsienhsien, Chiacho, Fengchang, Chinghsien (Chihli) and Tehchow, while the latter will, beginning at Tsinanfu, connect Chaogching, Pingying, Tungping Yenchang, Tsaohsien, Tungming, Kouchen to Kaifeng. The Ministry has appointed Yang Chin-yao and Sho Tsung-ho as investigators of the proposed routes.

Peking, October 23, 1920.

News from Central China

H. S. Chuck, engineer of the Pacific Trading Company, Chinese exporters, importers, engineers and architects, will leave for Shanghai on business for the company.

M. G. Brisker, honorary secretary of the Hankow branch of the China Association, announces that a meeting of this branch will be held in the Victoria Hall, Hankow, on November 1.

The local telegraph office announces that all code messages submitted by Russians henceforth are to be refused transmission owing to the amount of secret organization and spread of Bolshevik doctrines in China.

The latest tragedy in the upper Yangtze valley is the death of Mr. Covil, assistant manager in Chungking of the Asiatic Petroleum Company, who was shot by Chinese troops that are now fighting in Szechuen.

The football league of Hankow has now five entries, the Race Club, the Customs service, United Service, Navy and Wesley College. It is expected that Boone University and Griffith John College will also join the league.

A. T. Beltchenke, former Russian Consul-General at Hankow, and D. J. Nakvasin, Chairman of the Hankow Russian Municipal Council, have gone to Peking to attend a general meeting of representatives of Russian interests throughout China.

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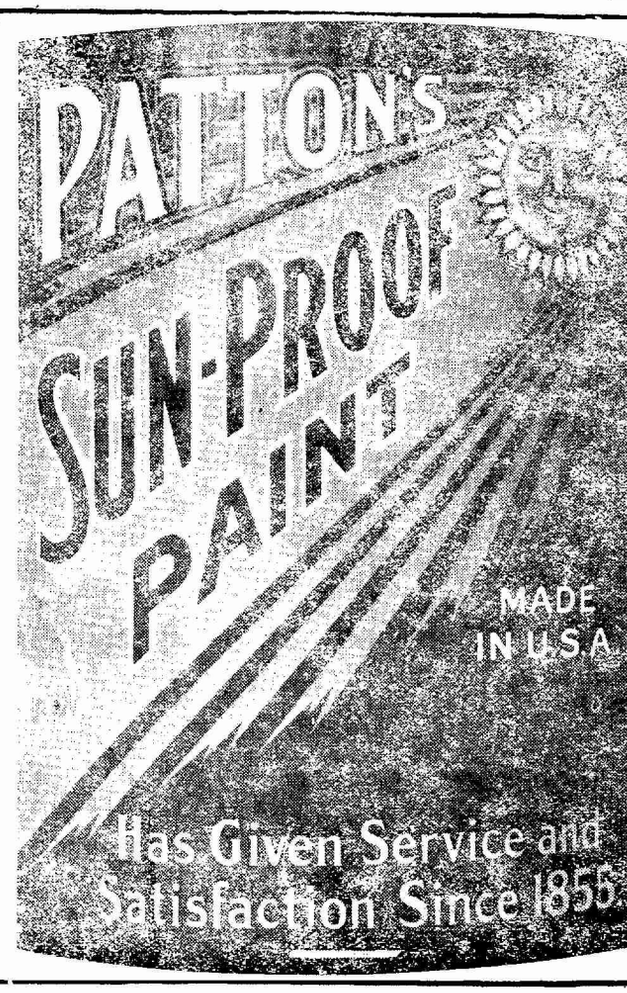

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Correspondent in China—The Commercial & Industrial Bank of China

14-508

General Hsiung Ke-wu of Szechuen has telegraphed to Peking expressing his readiness to cancel the autonomy of Szechuen and suggesting the appointment of General Liu Tseng-hou as associate director of military affairs in Szechuen.

It is reported that Dr. Yen Te Ching, Director of the Canton-Hankow Railway, will shortly leave from Shanghai for the States on business connected with the construction of the line. He will be accompanied to the States by the Chinese engineers.

David Z. T. Yui, general secretary of the Chinese Y. M. C. A., National Committee, Shanghai, is visiting Hankow this week. An address was delivered before the Wuchang Y. M. C. A. on October 23, and another one has been arranged in the Hankow Y. M. C. A. today.

Chang Ching-yao, the notorious Anfu General of Hunan who has recently escaped from Hankow for fear of charges brought against him from various sources, has been outlawed and placed under arrest by Peking. Officials have been sent here to investigate the property of the runaway, as well as his past course as Tuchun of Hunan.

The dignitaries of the old Parliament which was scheduled by General Tang Chi-yao of Yunnan to be held on October 10, Chinese National Day, have fled down stream from Chungking to Ichang, Hupeh. It is said that the recent debacle of the southern troops was caused by jealousy existing between the Yunnan and Keichow leaders.

General Feng Yu-hsiang, China's Christian General, and commander of the Sixteenth Mixed Brigade now stationed neared Hankow, has gone to Paotingfu to confer with General Wu Pei-fu and then to Peking. It is stated that the government will soon convert General Feng's brigade into a Division in view of the exemplary discipline of his troops.

General Tan Yen-kai of Changsha, Hunan, invited editors of newspapers, schoolmasters and other influential leaders from various societies to his yamen for a discussion upon provincial institutions. During the meeting, General Tan expressed himself as being very much in favor of the proposal of the people that the constitution is to be drafted by the people.

Seeds in the export market of Hankow are reported to be very firm locally consequent upon two large purchases made during the last week. Business is very difficult especially as exchange after being comparatively steady recently, is again beginning to fluctuate wildly. There is practically nothing of interest to comment upon for the week under review.

H. T. Woo, assistant managing director of the Canton-Hankow Railway, Hupeh-Hunan Section, has been called to Peking by the Ministry of Communications to consider the construction of the line in the territory of Hunan province that is now under the Southern administration. The peculiar political situation in that province renders the construction of the line difficult.

Hsia Shou-kang, the appointed civil governor of Hupeh, has not yet arrvied from Peking where prominent officials of Hupeh and the Hupeh gentry are urging him to proceed south to his home province to assume the new post. It is reported that Hsia's principle of governing Hupeh is to promote local

self-government which he thinks is essential to the formation of a real democratic government.

No parcel mail is accepted at present by the Chinese Postal service in Hankow for the Upper Yangtze from Chungking up, on account of the unsettled military and political situation in West China and Szechuen. According to the reports from up river, the province of Szechuen is again in state of chaos consequent upon party dissensions among the various political factions of the southern government.

The industrial inspection party of Japanese financial and industrial leaders from Yokohama, Japan, which visited Hankow last week, recently paid a visit to the Tayeh Mines of Hupeh, the source from which the Han-Yeh-Ping Iron and Coal Company of China obtain their iron supply. The party also visited other Chinese mining activities, mostly of the Hupeh Mining Bureau, near the Tayeh mining district.

While all other lines of business activities are practically lifeless, opium smuggling traffic at least is a growing business in Hankow. This week a seizure of over 1,500 catties of opium and arrest of a party of thirty smugglers was effected by the Chinese police on board a steamer from Hunan. The chief smuggler, however, has escaped from arrest to the Japanese Concession of Hankow, where he is enjoying freedom.

Professor John Dewey, the noted American educator and philosopher of the Peking Government University, has promised to visit Central China at the request of the various Chinese organizations in Changsha, Hunan. It is understood that Doctor Dewey will be accompanied by a party of Chinese educators from Peking. Various Chinese organizations in Hankow and Wuchang are making arrangements to welcome Dr. Dewey when he passes here enroute to Changsha, Hunan.

The complete absence of business continues in the import market of Hankow. Clearances are poor and of a retail nature. A slight improvement is noticeable in yarn prices. The drop in Manchester prices has been entirely counteracted by the fall in exchange. There is still no improvement in this market this week, and the market is absolutely lifeless. What little demand there is, is of a retail nature at very low prices. Prospects for the immediate future do not seem at present very bright.

The Chinese authorities of Hankow decided to take over the Russian Concession of Hankow on November 1, at a meeting attended by Dr. Woo Chung-yen, Commissioner of Foreign Affairs of Rank; police Commissioner Tsao; representatives of Tuchun and Civil governor; Magistrate No Hsiao-ting of Hankow; S. M. Lun, Superintendent of the Special Administrative District, Ex-German Concession of Hankow; and a member from the Ministry of the Interior, Peking. The Russian Concession will be known in the future as the Second Special Administrative District of Hankow under the control of the Chinese Chief of Police, Hankow.

Dr. Kiang Kiang-hu, Professor of the Oriental Department of the University of California at Berkeley, and also in charge of the Japanese and Chinese collections at the Library of Congress in Washington, D. C., is now on a lecturing tour on the lower Yangtze valley, having recently delivered thirty-five

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lectures in five days in Kiukiang. He is now visiting Anking accompanied by his wife who has been trained in moden educational methods by Madame Montessori. Dr. Kiang has earned wide reputation in America, for his contribution of 13,000 Chinese books the magnificent Doe Library at Berkeley is officially known as the Kiang Library.

October 24, 1920.

News from South China

The Kwangtung Government Arsenal and the Government Mint are still in the hands of Mu Yung-hsien. An effort to take them by force has failed.

The Hongkong-Wuchow traffic, interrupted by military movements last week, is now resumed. Freight and mail service are now going on as usual.

Patricio Jose da Luz, an old resident well-known in Macao, died in that port last week. His funeral was attended by the Governor of Macao and other leading officials and citizens.

The Cantonese Army is organizing an aviation corps. Captain Arthur F. Lym, a well-known local aviator, a returned student, is one of the officers appointed to command the aerial force.

According to an estimate of a local Chinese daily paper, the amount of valuables stored in Shameen, a foreign concession in Canton, by the Cantonese against possible danger in the city proper, is $50,000,000.

Both the new and the old Tuchun of Kwangtung, Mu Yung-hsien and Tang Ting-kwang, have ordered the citizens to pay their taxes to them. So far the new Tuchun is more popular, he receiving more tax than the old one,

The new Tuchun of Kwangtung, Rear Admiral Tang Ting-kwang, has ordered an embargo on the export of siver coins from Canton. This will prevent further shipment of 20-cent subsidiary coins from Canton to Kwangsi.

The Sincere, The Sun, and several other Hongkong registered firms in Canton are now hoisting the British flag over their premises in order to receive foreign protection in case of general lootings by the Kwangsi soldiers during their forced departure.

Dr. W. H. Griffith Thomas, the noted British Biblical scholar, visited Canton the middle of October and gave a series of lectures in the city Y. M. C. A. and at Christ Church, Shameen. Because of local disturbance, he may not be able to visit Wuchow as first intended.

The city of Waichow, in the East River districts, is still in the hands of the Kwangsites. General Mu Chi, the Kwangsi commander, is forcing the chamber of commerce at Waichow to pay a daily contribution of $200 towards the upkeep of the undesirable Kwangsi troops there.

Mu Yung-hsien, the unpopular and unwanted Tuchun of Kwangtung, still refuses to leave Canton, waiting for assistance from Peking, Wuchow, and Waichow, notwithstanding the offer of the Cantonese to pay him $2,000,000, provided that he would depart with his men for Kwangsi.

The Kwangsi authorities have denied that their troops have attacked the H. M. S. *Robin* on the West River above Samshui early this month. The British Consulate-General in Canton is still investigating on the

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matter. In the attack, one casualty was caused to the crew of the gunboat, however.

Kongmoon is now in the hands of the Cantonese army, while Sheklung is still being fought for between the Kwangsi and the Cantonese troops. Samshui is now peaceful. The Cantonese army authorities deny that Swatow has been recaptured by Military government troops helping Mu Yung-hsien.

The Canton-Kowloon, the Canton-Samshui, and the Canton-Hankow Railroads are still partly or wholly suspended in traffic, pending the outcome of the present political and military situation in Canton. Tang Mu-hon has been appointed managing director of the Canton-Samshui Railroad by the new Kwangtung Tuchun, Rear Admiral Tang Ting-kwang.

Canton is now suffering high cost of living through profiteering on the part of most of the merchants, according to those who know the present food situation. As there are now two governments in Canton and neither has any power or authority over such a matter, the people have no way to seek for redress against the injustice and robbery being done them.

The lower officers of the Chinese Navy in Canton have resolved to request their commander-in-chief, Admiral Lin Pao-yi, to delay the return of the squadron to the North until the Canton situation is settled. The Navy has recently decided to return to the Central government, as the Military government now in Canton is no longer able to support it with funds.

The Military government in Canton is functioning as usual, although the principal leaders like Tsen Chun-hsuan, Wen Tsung-yao, Dr. Chen Chin-to and others are no longer residing in the official headquarters. The Administrative Council is meeting now in the headquarter of Mu Yung.hsien, the Military Governor, instead of in its regular seat of government at the Canton Government Agricultural Experiment Station.

Wong Chi-woon, formerly Circuit Intendant of Kiungchow, has issued a circular charging Mu Yung-hsien of the crime of being an accomplice in the assassination of Admiral Ching Pi-kwang, the leading Cantonese Constitutionalist, who was Minister of the Chinese Navy when coming to Canton with the old Parliament 1917. At the time of assassination, Admiral Ching was mentioned for Tuchun of Kwangtung.

Dr. Lew Yuk-lin, the Salt Commissioner of Liang Kwang under the Mu Yung-hsien administration, will probably be replaced by another official to be appointed by the new Tuchun, as the merchants cannot now get their salt transportation permit from Dr. Lew, his authority having been disputed by the local gunboats which no longer recognize his seal of office and allow salt carrying ships to proceed to their destination.

H. W.

Canton, October 16, 1910.

Week's News Summary

CHINA

October 21. Paotingfu Military Conference adopts resolution of Wu Pei-fu calling for a national citizens convention.

October 23. Chinese bodies of Shanghai elect 27 electors to vote on Municipal advisory committees.

——Famine relief committee, Peking, sanctions plans of American Red Cross.

October 26. Shanghai Constitutionalists warn Peking against peace with Kwangsi.

October 27. Kwangsi army prepares to retire from Canton—Paotingfu Military Conference passes resolution demanding evacuation of Hungchun by Japanese and asking Chang Tso-lin to take action.

SIBERIA

October 24. Moscow Soviet demands large quantities of grain and food from Siberia.— Partisans take Chita, Semenoff fleeing by airplane.

JAPAN

October 26. Japanese women of Osaka demand better standing and rights at meeting held by the *Asahi.*

GENERAL

October 21. Unemployed hold parade of protest in London against condition.——London dispatch says mine strike may bring about a general election, estimate made that there will be 1,750,000 unemployed by *October 23.* Sebastopol report says Bolshevik army is being broken by General Wrangel.

October 22. London report says Irish death roll both of civilians and military is growing.——London press expects presentation of proposals to end coal strike soon.——General Obregon promises Mexico will pay her foreign obligations.

October 23. English miners riot near Pontypridd attacking police, officials refuse to accept industrial tribunal.——Poles refuse to renounce Vilna.——House of Commons refuses to place ban on Irish policy.

October 24. Railwaymen and transport workers in England threaten to strike while miner present ultimatum demanding unconditional wage increase. ——American bankers plan foreign trade financing body with capital of one hundred million dollars. ——Treaty permitting a graduated increase of customs duties to China signed by American Secretary of State and Chinese Minister.

October 25. London report characterizes condition as the working classes against the government.—— Lord Mayor of Cork, McSweeney, in serious condition after days of hunger strike in prison.

October 26. English railway strike prevented as Premier consent to resume mine parley.——Poles disclaim any sanction of taking Vilna.

October 27. Lord Mayor McSweeney of Cork dies after starvation for 74 days.——Rumanian general strike fails.——Strike situation in England eased.

Correspondence

Economic Conditions of Chinese Labor

EDITOR MILLARD'S REVIEW:—

Labor, in its broad sense, includes all those living on earned income, salary or wages as it may be called in different names. By common usage and for the present purpose, however, the term is restricted to manual laborers working for daily or monthly wages. Since the Great War, the payment of workmen in the West has increased more rapidly than that of so called professional labor; consequently the well-being of labor has relatively improved. So far as we have learned from the press, an unskilled workman in America

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may earn twice as much as a long trained teacher and the income of a motorman is not less than that of an experienced bank clerk. These facts assure us that the economic conditions of workmen in Europe and America are very satisfactory. Now let as look at the unlucky Chinese working people.

China has long been known for abundance of labor, nay cheap and industrial labor. We shall not at present, discuss whether cheap labor is good to China, or whether the introduction of modern labor movements into this is advisable, but whether the economic conditions of Chinese labor are satisfactory. In the discussion, we shall not say anything on efficiency, productivity, earning power, etc. of Chinese labor but only appeal to the common sense of the public whether workmen in this country are suitably paid and live decently or not. From this standpoint of view, naturally the problem of wages comes to our attention first.

As the only income of a laborer is his daily or monthly wages, "sweat-blood-money," upon which the lives of his whole family entirely depend; probably we may be safe to say that the wages is the barometer of his economic condition. At Shanghai and some other treaty ports as Hankow, Tientsin etc., the payment of labor is comparatively high: the trained artisans and other skilled laborers employed in modern factories and corporations earn, in average, ten to fifteen dollars per month; even a raw hand can get twenty to thirty cents per day. But at these commercial and industrial centers the cost of living is also relatively high.

Now let as take the payment of labor in a typical interior district as the standard of wages or rather normal wages in China. A skilled laborer in Shao-shing supplied with board free by the employer can only earn ten to sixteen cents per day. The writer being a native of that city can state authoritatively that in the district, though there is a small range of fluctuation, the daily wages of a bamboo-workman is ten cents, of a tailor twelve cents, of a carpenter and of a bricklayer fourteen cents, of a shoe-maker sixteen cents, of a field laborer twelve cents—the last class can earn sixteen to forty cents per day during the harvest season but the number of days of unemployment is also great. Compare the wages of labor in America! a window cleaner in the states earn five or six dollars per day, yet he is an unskilled laborer and every one can do his work without any trouble.

We have said that the wages is the barometer of labor's well-being. Can Chinese labor live decently with so low payment and so high cost of living? Judge by common sense, the answer is certainly negative. The natural consequence of low wages is a low standard of living among the unlucky people. As the cost of living becomes higher, the standard of living is forced lower in order to keep the income and out go in balance. Ten cents, the compensation of at least twelve hours' sacrifice of time and energy! How small an income it is! Yet it is the only means by which labor can pass their day without starvation. Moreover, it is a traditional custom in China that a filial son should marry, when he becomes a man. Every one pretends to be a filial son, every one gets married. So practically every Chinese laborer above thirty years old has his own family and his burden is very heavy. The result is that a Chinese laborer has to accept any job of low payment, when he is in unemployment; so his "sale" is rather "forced."

To describe the living condition of Chinese labor one word is quite enough *i.e.* "Miserable." Their food is miserably poor, their clothes miserably dirty and ragged, their lodging is miserably insanitory. Consider that their daily income is only ten to twenty cents!

We often hear blames against the working people for their dirty clothing and ignorance of sanitation. Indeed, they are liable to be blamed; but if they are well paid, will they prefer to eat poor, unhealthful food, to dress dirty, ragged clothes, and to dwell in an insanitary place? Breathes there so foolish a man who having money in pocket will not buy good food to eat, fine clothes to dress, and beautiful house to live in?

S. T. CHAO

St. John's University October 16, 1920.

"Shanghai Council Doesn't Know When It's Well Off"

EDITOR MILLARD'S REVIEW:—

The Shanghai Municipal Council doesn't seem to know when it is well off. It still persists in trying to invieigle the Shanghai public into furnishing it with the money it requires, mostly for electricity purposes, on a silver basis, the bonds for which are issued eight percent below par and bear seven percent interest. The Council recently stopped accepting any further subscriptions to the gold loan, after they had secured £750,000 on a six percent basis (issued at par.) The reason why I say the Council doesn't know when it is well off is that it has been able to raise its gold requirements at a cheaper rate than the very much better securities of the American and British government earn, (taking into account the rates at which they can be bought, which is, of course the only criterion to figure by). The Council has the option of putting off the redemption of this gold loan to 1950,—30 years from now, by which time the great majority of those who invest will be dead. As against this, an investor can buy U. S. Victory bonds which are to be redeemed within two or three years, and also the third issue of the 4½ percent Liberty loan, which is redeemable in less than twenty years, at prices which net the investor more than the Council's issue does. The Liberty Loan, for example, can be bought for less than 95½ and as it pays 4¾ percent, it brings in an income of 6¼ percent. Indeed if the loan is called in at the optional date of June 15, 1822 (as will probably be the case) the investor will reap over seven percent. And yet the Council isn't willing to accept the money when it can borrow at six percent? Naturally, the question arises: What's the idea?

C. I. V. I. S.

China and the Russians

EDITOR MILLARD'S REVIEW :—

Your issue of October 9 contains an excellent article by Hollington K. Tong on the recent action of the Chinese government anent the Russian concessions. His analysis of the legal aspects of the question is clear and convincing. Some of his statements relative to the intentions of the Chinese government, if reliable, are reassuring. But one statement of far more importance than legality of intentions is neither convincing nor reassuring. He says: "China is fully able to look after Russian interests in her territory. Whatever prospects the Russians have had in their concessions is China's gifts. No one is more able to take care of it than the giver when the benefiter is incapacitated."

I suppose there are people who never saw China who will swallow this amazing assertion, but I doubt if any foreign resident in a foreign concession will do so. Whatever technical truth or plausibility it may claim, it is in essence an assumption of incredible audacity. "Is China fully able to look after Russians interests, in her territory?" And if Russian interests, why not British interests and foreign interests generally? And if fully able, then what is the need of concesssons, extraterritoriality, and all that? That begs the question as Mr. Tong evidently hopes we will let him do. I don't blame China for disliking these grave limitations upon her sovereignty, or for trying to remove the incubus. Still less do I blame foreigners for feeling that concessions and extraterritoriality are a necessity of foreign residence and foreign commerce—a necessity never more apparent than today. Does any enlightened Chinese believe that China is now competent to manage Shanghai as the Municipal Council is managing it? Does any prudent Chinese think or believe that it will advance China's interests to acquire prematurely that grave responsibility. Your contributor speaks of giving the veto power to a Chinese as a trivial and innocent thing. Does not the very fact that China is at present obsessed with a desire to recover her lost control make this veto power a most dangerous weapon, one almost certain to be used to undermine foreign influence?

"Whatever property the Russians have had in their concessions is China's gift." Forsooth! A voluntary and gracious token of friendship, was it? Or was it a privilege wrenched away by a foreign power and on the ground of China's incompetency? Even if the former, it would not necessarily follow that "no one is better able to take care of it than the giver." If the latter, quite the opposite follows beyond question.

Tell China to go slow. Tell her to make her own cities decent places for foreigners to live in before she asks control of the magnificent cities that the foreigner has built. Above all, tell her that sophistry and assumption will not advance her cause.

H. H. POWERS

On Board C. P. O. Steamer *Empress of Russia* October 11, 1920.

Commercial and Financial Notes

Commercial traffic through Panama Canal made a new record in the fiscal year ended June 30. A total of 2,478 commercial craft with aggregate tonnage of 8,545,000 made transit, paying more than $8,880,000 in tolls and other charges. All expenses of maintenance and operation will not exceed $6,650,000 leaving a surplus of $2,150,000, or five times previous record surplus. No allowance has been made, however, for depreciation or interest.

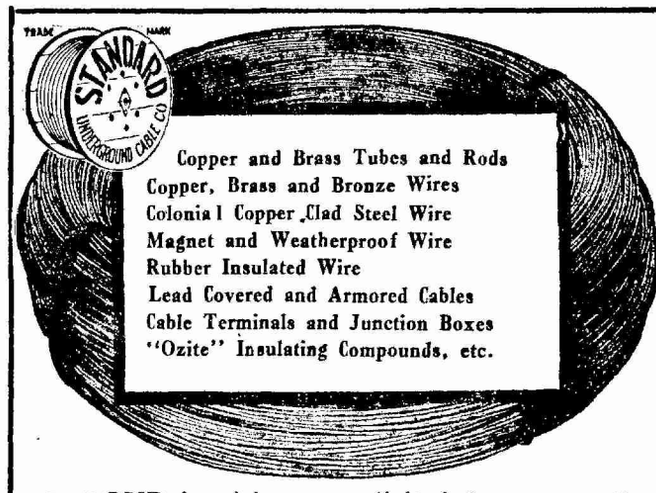
Current Market Reports

Weekly and Monthly Conditions and Quotations of China's Principal Markets

Weekly Cotton Market Report

By A. B. Rosenfeld & Son

China Cotton.—The recent decline in the world's cotton market, which for a long time might reasonably have been looked upon as only a depression, seems now to be so well founded on the exceedingly unfavorable trade conditions, that it must be accepted as a permanent change of values, and while minor fluctuations may take place, it would seem futile to look for any return this year to the prices ruling a month or two ago.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SHANGHAI

As to consumption, the yarn situation in China firmed up considerably within the last few days, with practically no abatement in the demand, notwithstanding the violent advance of over twenty-five taels per bale during the past week with no indication of a falling-off in the demand for tho finished product. The trade is estimating some 8,000 bales as undelivered stocks held by local mills in the early part of the week, which since has been practically depleted. In consequence the general feeling is for a further advance in prices. Regarding new business, Spinners have declined to entertain any further orders owing to the fact that all of their production for this year has already been booked; it is also rumored that India is placing large orders in this market.

On the other hand, in the raw material, there has been no development of consequence, principally due to the fact that the mills can get all their supplies at much lower prices from India, a situation which has greatly check-mated any contemplated bull campaign on the part of speculators. As a matter of fact, considerable cotton has been bought in the expectation of such contingencies, and in view of the heavy purchases by the mills same will only tend to accelerate the decline of the China product to a new lower level.

Liverpool, October 19, 1920.

Liverpool Market :—

Egyptian Fully Good Fair Sakellaridis.....43.00 Pence
M. G. Fine Scinde and Bengal ..... 8.50 ,,
Good Middling American, Spot.....14.15 ,,
,, ,, ,, October .....13.53 ,,
,, ,, ,, January .....13.45 ,,
Market :—*Steady.*

New York, October 21, 1920.

New York Market :—

January .....18.80 Cents
March .....18.85 ,,
May .....18.70 ,,
Spot.....20.50 ,,
Market :—*Steady.*

Bombay Market :—

No. Wire.

Shanghai Market :—

Tungchow Spot Ex-wharf.....Tls. 27.00
,, Nov./Dec..... ,, 26.50
Shanghai Spot..... ,, 22.50
,, Nov./Dec..... ,, 22.50
,, M-ginned, October..... ,, 23.00
Ningpo New Crop Spot ..... ,, 26.00
Tone of the Market :—*Steady.*

Weekly Silk Market Report

By Villa Brothers

With the exception of a purchase of 50 bales Double Eagle at Tls. 870, very little interest have been shown in China Steam Filatures during the week. Tsatlees remain quiet, only a few bales changing hands at Tls. 815 for May Hun Yue. The local Tussah market is dull and inactive, no business reported.

China Steam Filatures Grand Extra Chops...Tls. 980
,, ,, ,, Extra Chops..... ,, 940
,, ,, ,, Medium Chops ..... ,, 830
Tussah Best Chops.....Tls. 825
,, Market Chops..... ,, 785
Tsatlee Best Chops.....Tls. 380
,, Market Chops..... ,, 360

Shanghai Exchange for week ending Wednesday, October 27th, 1920

By Maitland, Fearon and Brand

Exchange:—The London price of Silver at 52 1/4d. is 1 3/4d. higher than last week's closing quotation. Our rate for T/T on London at 5/2d. is 1d. up. Advices of silver still refer to China as a support to silver prices, but unless some improvement in Exports takes place very little support can be expected from this side and a sagging tendency is likely to ensue.

Our exchange market closes uncertain, with sellers at 1d. above the official quotation, due to gold dealers operations. Very little business is passing in connection with Imports or Exports.

Local stocks of Silver are reported as follows : —

Sycee and Bar Silver .....Tls. 34,000,000 a decline of Tls. 1,330,000
Chinese and Mexican Dollars ... $ 27,920,000 a decline of $ 660,000
Estimated value in Taels 54,380,000.
Stock of silver on 29th Oct. 1919 Taels 32,280,000.

†	Average rates for Sept.	Thurs. Oct. 21	Friday Oct. 22	Sat. Oct. 23	Mon. Oct. 25	Tuesday Oct. 26	Wed. Oct. 27
Bk's selling rates		*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*
T/T London	5/10.620	5/3	5/3	5/3 5/2	5/2	5/2	5/2
D/Dfts. ,,	—	5/3 1/4	5/3 3/4	5/3 1/4 5/2 1/4	5/2 1/4	5/2 1/4	5/2 1/4
4m/s ,,	—	5/3 1/2	5/3 1/2	5/3 1/2 5/2 1/2	5/2 1/2	5/2 1/2	5/2 1/2
T/T India	312.900	323Nom	319Nom	319 310Nom	310Nom	318Nom	318Nom
T/T France	1537.600	1400	1400	1400 1380	1395	1395	1420
T/T N. Y.	103.590	90 1/2	90 3/4	90 1/2 89	89 1/4	89 1/2	89 3/4
T/T H'kong	71.300	73 1/2	73 1/2	73 1/2 73 1/2	74	74	74
T/T Japan	48.930	55 1/2	55 1/2	55 1/2 56 1/2	56 1/2	56 1/2	56 1/2
T/T Batavia	317.340	291	289	289 284	284	287	287
T/T Straits	39.190	44	44	44 44 3/4	44 3/4	44 3/4	44 3/4
Bk's buying rates							
4m/s B/L. Cred, D/A	6/2.620	5/7	5/7	5/7 5/6	5/6	5/6	5/6
6m/s ,, ,,	6/3.870	5/8 1/4	5/8 1/4	5/8 1/4 5/7 1/4	5/7 1/4	5/7 1/4	5/7 1/4
4m/s ,, D/P	—	5/7 1/2	5/7 1/2	5/7 1/2 5/6 1/2	5/6 1/2	5/6 1/2	5/6 1/2
4m/s ,, ,,		NOMINAL	NOMINAL	NOMINAL			
4m/s B/F. C., D/A, D/P	1637.600	1500	1500	1500 1480	1495	1495	1520
4m/s N.Y. Lc.	110.590	97 1/2	97 3/4	97 1/2 96	96 1/4	96 3/4	96 3/4
4m/s ,, Docs	—	98 1/4	98 1/2	ñ8 1/4 96 3/4	97	97 1/2	92 1/2

†Based on Daily Official quotation, higher rate taken on rising Market, lower when falling.	Oct. 21	Oct. 22	Oct. 23	Oct. 25	Oct. 26	Oct. 27
Bullion.						
***London** Price of Bar Silver per oz. (English Standard 925 touch) Pence.	5 15/16	53 1/4	52 5/8	52 1/8	52 1/2	52 1/4
Shanghai Price of Gold Bars (weight Tls. 10 (Chauping) 978 touch	Tls. 255.00	Tls. 257.50	Tls. 264.10	Tls. 263.60	Tls. 261.50	Tls. 261.50
Shanghai Silver Bars (weight Tls. 100 (C.) 999 touch)	111.00	111.00	111.00	111.00	111.00	111.00
Shanghai Mexican Dollars per $100	72.2	72.2375	72.1875	72.2375	72.225	72.2125
Native Bank Rate of Interest (Callmoney)	4%	4%	3 1/2%	5%	4%	4 1/2%
*Closing Price in London for Previous day.						

Bank of England rate of discount	7 %	London on Paris	T/T 54.93
Bank of France rate of discount	7 %	London on Germany	T/T —
London open Market rate		New York on London	T/T 347 1/2
of Discount 3 m/s.	6 5/8 %	Bombay on London	T/T 1/7 1/2
,, ,, 4 m/s.	6 5/8 %	Hongkong on ,,	T/T 3/10 1/2
,, ,, 6 m/s.	6 3/4 %	Yokohama ,, ,,	T/T 8/11

What the Ships Carry Between America and China

(Taken from the Daily Returns of the Shanghai Customs from Wednesday, October 6, to October 9, 1920)

(*Key: Pls.—1 Picul or 133 1/3 pounds; Bls.—Bales; Pcs.—Pieces; Mille—millions; Hk. Tls.—Haikwan Taels, Customs Rate Oct. 1 Tael equal $1 Gold.*)

S. S. Empress of Asia, September 28.

To Chicago :		
Tea, Green :		
Gunpowder, other Ports....	Pls.	36
Young Hyson, other Ports..	,,	138
Hyson, other Ports.....	,,	25
To New York :		
Silk, Raw, Re-reeled :		
White, other Ports Bls. 150	,,	153.33
Silk, Raw, Steam Filature :		
White, Shanghai, Bls. 76 ..	,,	75.63
Silk, Raw, Filature :		
Wild, other Ports, Bls. 200.	,,	197.45
Silk Piece Goods	,,	0.50
Strawbraid, White	,,	39
Foreign goods:		
Dyes, Aniline, Pkgs. 111 ...HK. Tls.		17,095
To Scranton :		
Silk, Raw, Re-reeled :		
White, other Ports, Bls. 10.	Pls.	10.45
Silk, Raw, Steam Filature :		
White, Shanghai Bls. 10...	,,	10.06

S. S. Cape May, from U. S. A., September 10.

Bells.....	Pcs.	144
Clocks	,,	18
Motor-cars	,,	2
Scales.....	,,	19
Imitation Fur Cloth.....	Yds.	255
Cotton Blankets	Pls.	6
Wollen Yarn	,,	18
Iron and Steel :		
Angles.....	,,	288
Anvils	,,	120
Bars and Rods	,,	4,051
Hoops	,,	504
Nails	,,	75
Pipes	,,	19
Plate Cuttings	,,	1,185
Plates and Sheets	,,	2,082
Washers.....	,,	260
Cart Tires, Old	,,	388
Iron and Steel, Galvanized :		
Wire Rope.....	,,	37
Tinned Plates, Plain.....	,,	2,812
Zinc Sheets	,,	142
Wire cloth.....	,,	38
Acid, Boric	,,	84
Grease, Mineral.....	,,	463
Indigo Paste, Artificial.....	,,	1,235
Leather, Calf.....	,,	2
Milk, Condensed	,,	40
Packings, Unclassed	,,	12
Paper, Cardboard.....	,,	40
,, Blotting	,,	15
,, Common, Printing ..	,,	2,211
,, Glazed Flint	,,	81
,, Printing	,,	2,057
,, Wrapping	,,	305
,, Writing.....	,,	136
Paper, Waxed	Pcs.	60
,, Unclassed	,,	36
Tobacco, Leaf.....	,,	202
Wax, Paraffin	,,	843
Oil, Engine	Galls.	6,646
,, Unclassed	,,	598
Paints, Unclassed.....	,,	1,001
Dyes, Aniline, Pkgs. 152 ...HK. Tls.		14,374
Machinery	,,	27,294

S. S. China, from U. S. A., September 15.

Silk Satin.....	Catties	22
Iron Bars	Pls.	139
,, Twisted Bars.....	,,	767
,, Pipes	,,	42
Iron, Galvanized: Pipe Fitting.	,,	17
Lead, in Pigs	,,	23
Almonds	,,	7
Canned Asparagus	,,	30
Barley, Pearl	,,	14
Bones, Cow	,,	167
Butter.....	,,	30
Cheese	,,	38
Fruit, Dried.....	,,	13
,, Fresh.....	,,	24
,, Table	,,	306
Flour Rolled Oats.....	,,	10
Hams.....	,,	6
Hops	,,	2
Lead, White.....	,,	84
Macaroni	,,	13
Nuts.....	,,	5
Oranges, Fresh	,,	322
Packing, India rubber	,,	2
Peas.....	,,	13
Rasins	,,	6
Seeds, Bird.....	,,	10
Sugar, Refined.....	,,	3
Sugar, Cubs.....	,,	9
Chocolate.....	Lbs.	805
Calculating Machines.....	Pcs.	3
Lemons, Fresh.....	,,	137,205
Motor-cars	,,	2
Shoes	Pairs	297
Handkerchiefs	Doz.	118
Catsup	,,	78
Canned Fish.....	,,	150
,, Fruits	,,	348
,, Vegetables	,,	372
,, Meats.....	,,	212
,, Goods, Unclassed.....	,,	155
Hats.....	,,	5
Hosiery	,,	64
Jelly	,,	117
Sardines	,,	216
Underwear	,,	21
Glass, Plate, Silvered.....	Sq. ft.	13,291
Machinery	HK. Tls.	2,729
Treasure: Silver Bars.....	,,	1,393,274

S. S. Columbia, from U. S. A., September 16.

Velvets	Yds.	91
Iron Deformed Bars.....	Pls.	6,508
,, Nails, Wire.....	,,	1,125
Acid, Boracic	,,	7
,, Unclassed.....	,,	4
Almonds	,,	2
Canned Asparagus	,,	262
Beans	,,	15
Butter.....	,,	9
Cheese	,,	23
Tinfoil.....	,,	1
Fruit, Fresh.....	,,	16
,, Table	,,	282
Flour, Corn Meal.....	,,	9
Ink, Printing.....	,,	164
Leather, Calf.....	,,	29
,, Coloured	,,	5
,, Sole.....	,,	83
Lead Types	,,	2
Oak Extract.....	,,	83
Oranges, Fresh	,,	247
Paper, Writing.....	,,	3
Sugar, White.....	,,	92
Chocolate.....	Lb.	720
Baking Powder	Doz.	280
Catsup	,,	112
Canned Meats	,,	375
,, Fish	,,	78
,, Negetables	,,	331
,, Fruits	,,	156
,, Goods, Unclassed	,,	85
Jams.....	,,	144
Sardines.....	,,	276
Hats	,,	31
Milk, Malted	,,	39
Underwear	,,	75
Machines, Calculating.....	Pcs.	10
Lemons, Fresh.....	,,	145,800
Motor cycles	,,	1
Trunks	,,	6
Typewriters.....	Pairs	1,316
Varnish.....	Galls.	342
Treasure :		
Gold Coins.....HK.Tls.		436,697
Silver Bars.....	,,	171,132

S. S. Arabia Maru, from U.S.A., Sept. 17.

Sheeting :		
Grey, 12½ lb. over 110 threads per sq. in.....	Pcs.	8,000
Cotton Flannel, Grey, 32 in ..	,,	1,950
Iron Bath Tubs Enamelled ...	,,	100
Machines, Sewing.....	,,	1,700
Iron Hoops	Pls.	504
,, Wire	,,	521
,, ,, Shorts.....	,,	680
,, Galvanized : Wire	,,	734
Cotton, Raw.....Bls. 200	,,	719
Seed, Cotton.....	,,	138
Tobacco, Leaf.....	,,	358
Wax Paraffin	,,	1,999
Alcohol.....	Galls	600
Machinery.....HK. Tls.		28,263

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New Books and Publications

Wang The Ninth

The Story of a Chinese Boy in the Boxer Rebellion: B. L. Putnam Weale—$3.50 Dodd, Mead and Company, New York.

DR. Reinsch, former American Minister to China once expressed regret that none of the many writers on China, had gone into the intimate family relations of the Chinese and had given a true picture of genuine Chinese life. Mr. Weale in, "Wang the Ninth" has performed this service to genuine satisfaction in this story of Wang, a Chinese boy of peasant class. And he has performed the service in a most interesting and entrancing manner, in fact has done it so well that the reader will have difficulty in laying the book aside before it has been finished.

In the preface, Mr. Weale states that "this book is a partial explanation of the phenomenon of China which seems so strange when curtly dealt with in the daily press."

"Wang The Ninth was born—in a village called prosaically in the vernacular Ten Li Hamlet because it lay ten *li* or Chinese miles from the great imperial highway. He was the eighth child; that was why, according to immemorial custom, he was called the Ninth, since the numeral eight added to his partonymic signified an opprobrious epithet term "tortoise," a nickname which no Chinese could survive.—his brothers and sisters, having been leased or sold one after another to neighbors (you can use whichever expression you like), he and his father had become the last survivors in a disrupted family. For his mother, too, had tired of privation. She had sat ominously quiet for one whole week and had then slipped away with a traveling blacksmith, who had been working for a season not fifty feet from the family home of mud-bricks and who disappeared as he had come—like a wraith in the night."

And thus the story starts. Wang's father disgusted with his lot threw Wang into a basket and with this on his wheelbarrow started to the city. He stopped at the city gate and there Wang grew up and there he saw his first foreigner, a "red-bearded foreign devil" who instead of killing him and using his eyes for medicine as Chinese boys had been taught, gave him a bright silver dollar. As Wang grew up he helped his father by working the bellows in the blacksmith shop and then he ran away and became a smuggler of wine into the city. Finallyhe ran away entirely to escape paying his father's funeral expenses and got a job with the "red-bearded foreign devil" he had met in his childhood.

Then the fanatical Boxer Rebellion came on and the foreigners were besieged in Peking. The other servants fled, but Wang stuck to his job and thereby gained the confidence of the foreigners. He was entrusted with a dangerous mission and he went through almost insurmountable obstacles to obey his master, and in doing so he performed a great service.

The story makes plain and gives a true understanding of many phases of Chinese character which are a riddle to the average foreigner. After this book is read you will know something about the psychology of "squeeze" and you will have some little insight into "filial piety" and all that means. You will also get a good idea of the Boxer Rebellion, for this book is a supplement to *Indiscreet Letters from Peking*, which rates as one of the three or four most read books on China. By all means read the story of Wang The Ninth—it will only require a couple of hours—and you will have a much better and finer idea of Chinese life with its famines, rebellions, sorrows and joys. M. C. P.

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Outline for the Study of Current History, Finance and Commerce of China

by

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and

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This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Relations

Topic 1: Consortium Conference in New York

Reference : Pp.385-87, 395-98, 406, 408.

Questions : 1. What are the outstanding features in the agreements regarding the Consortium in New York? 2 When was the organization formally effected ? 3. Who signed the papers ? 4. Who is chairman of the Consortium ? 5. Under what conditions will loans be made to China ? 6. Comment on the remarks of Sir Charles Addis. 7. What new country is anxious to join the Consortium ? Why ? 8. What is the importance of the letters commented on editorially? 9. What does the *Shun Pao* think of the Consortium ? 10. How is the formation of the Consortium expected to affect the military in China?

Topic 2 : International Drug Situation

Reference : P.387.

Questions 1. What new campaign is being waged in Seattle regarding drugs? 2. What is a narcotic ? 3. What was the Harrison Act ? 4. How is the law being evaded ? 5. Who is responsible ? 6. What other countries are to be blamed for the drug traffic and what countries are suffering?

Topic 3 : American Affairs

Reference : Pp.392-94,402.

Questions : 1. Name the two chief candidates for the office of President of the United States ? 2. Which one seems to be more favored ? 3. What seems to be the general attitude toward the Legue of Nations ? 4. What "plank" in the Republican platform affects the Panama Canal ? How ? 5. What is the latest Amendement to the American Constitution? 6. Which state assured its success ? How can one state do this ? 7. How is the question of Prohibition involved in the National election? 8. What is said as to the oil situation at the present time ? As to the future situation ? 9. What is said regarding the Japanese situation in California ? In South America?

Topic 4 : A Japanese Criticism of Japan

References: Pp. 402-3.

Questions. 1. Who is Mr. Ozaki Yukio? 2. What does he say as to the intellectual and moral situation of his country? 3. What does he think of the expenditure of the national revenues of his country? 4. Does he approve of more expenditures on Military and Naval development? Why? 5. Would you call Mr. Ozaki Yukio a Militarist ?

2. Domestic Affairs

Topic 1: Use for China's Surplus Population

References: Pp. 394-5.

Questions- 1. Why has China a surplus population according to Mr. Arnold? 2. Is it apparent or real? 3. What is the solution of this problem offered by him? 4. Do you think this is correct? 5. How can foreign friends of China help her solve this problem? 6. Write a paper on the possibilities of Central Asia as a ground for future colonization of the Chinese.

Topic 2: The Balance Upset Again

References: Pp. 391-92.

Questions:1. What was the balance, and how was it "upset"? 2. What and who are the Super-Tuchuns? 3. What is the present position of Tang Chi-yao? 4. Is there thought to be danger of war between Chang Tso-lin and Tsao Kun? Why? 5. What is Peking trying to do at present? 6. Who has taken over the office of Tuchun in Kiangsu?

3. Commerce and Finance

Topic 1. Imports and China's Industries.

References: Pp. 387-389.

Questions: 1. What does the writer say was shown to the Chinese by "the boycott agitation"? 2. Give an example of what is meant by "basic industries." 3. Is manufacturing a success in China ? 4. What effect does this have upon the imports into the country ? 5. What is the reason given for the fact that manufacturing is not developing faster ? 6. What is meant by capital ? 7. How can a nation increase its capital ?

Topic 2. Famine and Finances.

References: Pp. 389-90.

Questions: 1. Explain the sentence, "If rural China starves this year, urban China starves next year." 2. What effect upon the income of China's railways is expected ? 3. Is it better to give food to the people in a famine district or to make them work for it ? State your reasons. 4. If you live in a district where you can do so find out how much of this plan is being actually carried out.

Topic 3. The Chinese Eastern Railway.

References: Pp. 398-400.

Questions: 1. Where is the Chinese Eastern Railway ? 2. Why has it recently been of such great importance in international politics? 3. Who is Dr. C. C. Wang? 4. What explanation is given for the great cost and the large deficits of the Chinese Eastern ? 5. What are the conditions under which China can become the owner of the railway ? 6. What, in Dr. Wang's opinion, should be the relations between China and Russia ? Do you agree ? 7. Explain the references (p. 399) to the frontiers between Germany and France, Canada and America.

The United States Court for China

(Established by Act of Congress of June 30, 1906).

JUDGE, Charles S. Lobingier.
DISTRICT ATTORNEY, Chauncey P. Holcomb.
COMMISSIONER, Ferno J. Schuhl.
MARSHAL, DISBURSING OFFICER, } Nelson E. Lurton.
CLERK, James P. Connolly.
DEPUTY MARSHAL, Neville Craig.
OFFICE HOURS 9-1; 2-5.

Hearings:

October 25, Cause No. 1004, Wang v. Sidney Ross Co., Inc.; Testimony taken of witnesses Mancell and Dunning for defendant and of plaintiff in rebuttal; cause submitted on briefs to be filed by defendant in two weeks after receipt of transcript and by plaintiff in two weeks after receiving defendant's brief.

" 25, " " 1195, In re Myrta B. Taylor's Estate; on petition for letters of administration.

(*Before the Commissioner*)

October 21, Cause No. 1188, U. S. v Dooney; testimony taken of witnesses Hughes, Hall, P. C. 108, Singh, P. C. 81, and defendant.

" 22, " " 1191, U. S. v Messimer; testimony taken of witnesses Gatton and defendant

" 23, " " 1167, U. S. v Svoronas and Kollias; testimony taken of witnesses Phillips, Hickson, Luciano, Burrstano, Stven, metes, Maritas, Claughburski, Daras, and defendants.

" 23, " " 1189, U. S. v Nehl; testimony taken of witnesses Zung, Mau, C. P. C. 403, Lau, C. P. C. 606, Hoa, C. P. C. 438, and defendant.

" 23, " " 1162, Honigsberg & Co. v Craig; no appearance on behalf of defendant; plaintiff's testimony taken.

" 23, " " 1195, Diniz v Phoenix Oriental Co., no appearance on behalf of defendant; plaintiff's testimony taken.

" 25, " " 1192, U. S. v Hogan; no witnesses.

" 25, " " 1193, U. S. v Gonzales; testimony taken of witnesses Ching, Tsang, C. P. C. 885 and defendant.

TIENTSIN:
DEPUTY CLERK, Harry A. Lucker.
DEPUTY MARSHAL, William T. Collins.

CANTON:
DEPUTY CLERK, Joseph C. Nardini.
DEPUTY MARSHAL, William R. Lynch.

All Notices, Announcements, Judgments, Order and other Proceedings appearing in this department of MILLARD'S REVIEW may be accepted as authentic.

T. C. DONG, PLAINTIFF, vs. DAVID L. MOSS & CO., DEFENDANT.

(*Cause No. 1050; filed October 15, 1920.*)

SYLLABUS

(*By the Court*)

1. **SALES:** ONUS PROBANDI. Where a vendor undertakes to furnish goods of "prime quality" the burden rests upon him, in an action for nonacceptance, to prove that those tendered were such.
2. ID: ID. Such burden is not met by producing a single unidentified sample where several other samples of the goods tendered are pronounced by experts to be not of "prime quality."
3. ID.: DEFINITIONS. "Prime quality" means better than good and constitutes a warranty as to the articles in question.
4. ID.: EXEGESIS. All prior negotiations between the parties to a written instrument are merged therein and where its language is unambiguous there is no room for applying the *contra proferentem* rule.

A. M. Preston, Esq., for plaintiff.
Messrs. Fleming, Davies & Bryan, by Mr. Davies, for defendant.

LOBINGIER, J:

On May 10, 1920, defendant confirmed in writing a purchase from plaintiff of "(about) one hundred twelve (112) cases of 200 lbs. each Spray Hen Egg Yolk, Prime quality, free of zinc." Plaintiff in his amended complaint alleges that defendant

> "wrongfully refused to accept delivery of the said One Hundred and Twelve (112) cases of Hen Egg Yolk on such goods being tendered."

On the other hand, defendant in its answer

> "alleges that the egg yolk tendered to him by plaintiff under the contract * * * was not in accordance with the terms of said contract, in that said egg yolk was not of prime quality and that by reason thereof defendant refused to accept delivery."

No reply was filed, but in accordance with the existing practice in this Court the averment just quoted from the answer will be treated as denied. [1] Nevertheless the burden rests upon plaintiff to prove compliance with the contract [2] by tendering "Spray Hen Egg Yolk, Prime quality." Plaintiff invokes the *contra proferentem* rule regarding this language, contending that as the letter of confirmation emanated from defendant it should

> "be construed against the defendant upon any question relating to the exact meaning of any expressions employed."

Such a rule would be applicable if the language were ambiguous. [3] But is it? The phrase "prime quality" has not infrequently been a subject of judicial definition. [4] Plaintiff testifies that he understood it to

1. Steele v. American Trading Co., 1 Extraterritorial Cases.
2. Corpus Juris, XIII, 756, 757.
3. Id. 524, 545, 771.
4. *Massachusetts.* Hastings v. Lovering, 2 Pick. 214, 13 Am. Dec. 420.
Missouri. Whitmore v. Coates, 14 Mo. 10; S. J. Cox Co. v. French, 160 Mo. App. 678, 142 S. W. 449;
South Carolina. Limehouse v. Gray, 3 Brev. 231.

October 27, Cause No. 1045, Ring Mow Zu v. Wilkins Bros, & Co., Inc; on application for temporary injunction; testimony taken of witnesses Sem, Justensen, and Taylor for plaintiff and Wilkins for defendant.

,, 27, ,, ,, 658, Hawlley v. Hawlley; on the merits; default of defendant taken; testimony of plaintiff heard; cause submitted

Judgments and Orders:

October 22, Cause No. 830, Hoong Yung Kee v. Esso Company; judgment for defendant.

,, 26, ,, ,, 1032, Bowman v. Bowman; decree.

,, 28, ,, ,, 658, Hawlley v. Hawlley; decree.

,, 28, ,, ,, 1045, Ring Mow Zu v. Wilkins Bros. & Co., Inc.; conditional order denying injunction to restrain sale of ship.

By the Commissioner:

October 22, Cause No. 1188, U. S. v Dooney; fine of $20.00 and costs, and 48 hours in jail.

,, 22, ,, ,, 1191, U. S. v Messimer dismissed.

,, 23, ,, ,, 1167, U. S. v Svoronas & Kollias. fine of $25.00 each and costs and ten days in jail.

,, 23, ,, ,, 1162, Honigsberg v Craig; judgment for plaintiff in sum of $300.00 and costs.

,, 23, ,, ,, 1156, Diniz v Phoenix Oriental Exploitation Co; judgment for plaintiff in sum of $45.00 and costs.

,, 23, ,, ,, 1189, U. S. v Nehl fine of $25.00 and costs and 48 hours in jail.

,, 25, ,, ,, 1192, U. S. v Hogan; dismissed.

,, 25, ,, ,, 1193, U. S. v Gonzales; fine of $25.00 and costs, and 10 days in jail.

Miscellaneous Filings:

October 22, Cause No. 1189, U. v. S. Nehl; complaint.

,, 22, ,, ,, 1190, U. S. vs. Boulon; information; warrant issued.

,, 22, ,, ,, 1191, U. S. vs. Messimer; affidavit; writ sued.

,, 23, ,, ,, 1046, Tung Hung Teh vs. Barkley Co., Inc; motion.

mean "good quality"; but he was unable to explain why, if it meant no more, that phrase should not have been used. "Prime" has been judicially construed to mean more than "good." [5] The words "prime quality winter oil" as used in a contract of sale were held to constitute a warranty that the article was "superior to other oil in the market." [6] Moreover the parties must be presumed to have used the term in accordance with the meaning attached to it by the trade; [7] and defendant's representative was not contradicted in his testimony that the term is there understood to mean "best quality, fresh, having a sweet smell, and of good appearance." Indeed he is corroborated by Mr. Dupre, a chemist of thirty years experience. We see no room, therefore, to apply the *contra proferentem* rule.

Plaintiff's counsel also emphasizes the supposed negotiations of the parties prior to the completion of the contract, but the rule applicable to that point likewise requires that, unless the language used is ambiguous, all prior negotiations are merged in the written instrument. [8] There is no claim that the latter was procured by unfair means. It was submitted to plaintiff in the form of a letter and he seems to have had ample time to examine it before signing.

Were the goods tendered by plaintiff of "prime quality?" The complaint does not allege that they were; but unless plaintiff so proves, he has clearly not shown compliance with the contract. Defendant's representative testifies that he opened five or six cases of the consignment offered him and took some good sized samples which he found not to be "prime" because of a peculiar odor which would render them unmarketable and that he sent these to the chemist above mentioned who testifies that the odor was rancid and the solubility exceptionally high, which might indicate that they were turning bad. Another chemist called by plaintiff testifies to the analysis of a sample of egg yolk brought him by plaintiff but, unfortunately for the latter, is unable to identify it as being a part of

5. Whitmore v. Coates, 14 Mo. 10, 15.
"The word 'prime' has a variety of meanings. Webster gives the following, among others: 'First in order of time, original, primary; first in rank, degree, dignity, authority or importance." S. J. Cox Co. v. French, 160 Mo. App. 678, 142 S. W. 449
6. Hastings v. Lovering, 2 Pick. 214, 13 Am. Dec. 420,424. Murray's Oxford Dictionary (VII, 1361) defines "prime" as "4. First class; first rate; of the best quality; now used especialy of cattle and provisions."
7. Whitmore v. Coates, 14 Mo. 10.
8. Corpus Juris, XIII, 524, 544.

IN THE UNITED STATES COURT FOR CHINA

In re estate of JOHN I. SANGAR, Deceased. | Cause No. 890 | Estate No. 316 | NOTICE

NOTICE is hereby given to all parties interested that the undersigned has been appointed Administrator of the above named decedents estate; that all persons having claims against the said estate are required to present the same for payment, with vouchers, to the undersigned on or before April 9, 1921, and all persons owing the said deceased are required to make payment to the undersigned.

CHAUNCEY P. HOLCOMB,
Administrator,
11, Whangpoo Road,
Shanghai, China.

October 2, 1920.

October 23, Cause No. 1091, Ransom vs Martin; plaintiff's reply brief.

,, 25, ,, ,, 1162, Honigsberg & Co., vs. F.C. Craig; writ of execution; garnishment notice.

,, 25, ,, ,, 1108, Hoasun Iron Works vs. The Steamer Chang Ling; claim of owner; bond.

,, 25, ,, ,, 1193, U. S. vs. Gonzales; complaint.

,, 25, ,, ,, 1194, Asher Singh vs. Juan Madraso; petition; summons issued.

,, 26, ,, ,, 1195, In re Myrta Bradrick Taylor's Estate; petition; inventory.

,, 27, ,, ,, 1045, Ring Mow Zu vs. The Wilkins Bros Inc; motion; affidavit of Fredrik Sem and defendent; subpoena issued.

,, 28, ,, ,, 1045, Ring Mow Zu v. Wilkins Brothers & Co., Inc.; defendant's consent to terms of offer.

,, 28. ,, ,, 1179, C. H. Wong v. Wilkins Brothers & Co., Inc.; answer.

,, 28. ,, ,, 1180, Wong Zin-on v. Wilkins Brothers & Co., Inc.; answer.

,, 28. ,, ,, 1196, Bernard v. MacPherson, Fenstemaker Whitehouse Co.; petition.

the consignment in question. The last named chemist noticed nothing peculiar about the odor of the sample furnished him, but did not remember about solubility.

Plaintiff's counsel contends that

> "both analysts were correct in their evidence and that it would be possible to find two samples amongst 'stale' cargo, one good and one bad."

But, granting that the sample furnished plaintiff's chemist was a part of the lot in question, the testimony of defendant's representative remains undisputed that he sampled not merely one but five or six cases with the result above described. Such a general showing of defectiveness could hardly be overcome by the production of a single sample especially in view of plaintiff's admission that the goods were "stale" and the fact they were subsequently sold for about half the market price for "prime quality."

There is some testimony by plaintiff's witnesses indeed that defendant's representative sampled the commodity before the contract was closed, while the latter testifies that he examined not the consignment in question but another. Regardless of this conflict, however, we do not think such an examination would deprive defendant of the rights acquired in the contract subsequently made. Having seen fit to insist on goods of "prime quality" and plaintiff having undertaken to furnish such goods, any prior examination would seem clearly to be immaterial.

Under the testimony as above reviewed we are unable to find that plaintiff has met the burden of proving that he furnished "spray Hen Egg Yolk, Prime quality" and we must therefore find for the defendant. It is accordingly considered and adjudged that plaintiff take nothing by his complaint and that defendant recover its costs.

Chinese Government Railways

Approximate Return of Traffic for the period from July 21 to July 30, 1920

Name of Line	Passenger Revenue	Goods Revenue	Sundries	Total Revenue	Compared with same period last year: Increase	Compared with same period last year: Decrease	Accumulated Total Since Jan. 1: Present year	Compared with same period last year: Increase	Compared with same period last year: Decrease	Compared with same period last year: Percentage of In. or Dec.	Traffic train miles run: Accumulated Total Since Jan. 1	Compared with same period last year: Increase	Compared with same period last year: Decrease	Compared with same period last year: Percentage of In. or Dec.
	$	$	$	$	$	$	$	$	$	%	$	Miles	Miles	%
Peking-H-Suiyuan ...	81900	142625	4273	228798	.....	508598	17009822	399907	.....	2.35	2855465	153683	.....	5.39
Peking-Mukden	157157	153876	19572	330605	.....	164627	12446864	1365957	.....	11.01	1984728	3441	.....	0.18
Tientsin-Pukow.....	64053	99077	9970	173100	.....	128117	8549048	329507	.....	3.85	1649870	241709	.....	14.66
Shanghai-Nanking.....	100829	66397	6379	173605	11750	.....	3517698	320085	.....	9.14	879180	.....	13445	-1.53
Shanghai-H-Ningpo ...	55082	24468	987	80537	2819	.....	1757228	247432	.....	14.14	470332	106912	.....	22.75
Cheng-Tai	14872	65252	21684	101808	47578	.....	2546522	800126	.....	31.50	439407	62903	.....	14.32
Canton-Kowloon.....	23594	3591	700	27885	4453	.....	6100049	37625	.....	6.17	157508	2105	.....	1.34
Kirin-Changchun	16991	45767	255	63013	19655	.....	1336722	294458	.....	22.13	216400	504	.....	0.23
Taokow-Chinghua.....	6016	4546	228	10790	.....	18403	589316	27753	.....	4.75	145503	1500	.....	1.04
Chuchow-Pinghsiang..														
Canton-Samshui.....														
Changchow-Amoy.....	300	22	83	405	.....	593	9572	.....	8893	-92.92	2009	.....	1934	-96.23
Kaifeng-Honan.....	16289	4663	326	21278	.....	13686	853240	35015	.....	4.10	161800	.....	10017	-6.22
Wuchang-Changsha ...	2510	.....	868	3378	.....	19325	773610	97759	.....	12.64	.....	.....	.....	.....
Ssu-Tsen.....	5373	10142	15	15530	24	.....	478906	82122	.....	17.14	71464	6895	.....	9.85
TOTAL.....	544966	620426	65340	1230732	.....	767070	50478957	4028853	.....	3.68	9033666	554256	.....	.....

Y. C. WHANG
Chief of Railway Department, Ministry of Communications